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FROM 'INFORMED' TO 'VIRTUOUS' CHOICE:
A THEO-ETHICAL CASE FOR THE MORAL
RECONSTRUCTION OF SRE POLICY DISCOURSE IN
ENGLAND

A Thesis submitted for the degree of Doctor of Philosophy

by

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Supervised at London School of Theology

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Abstract

From ‘Informed’ to ‘Virtuous’ Choice: A Theo-ethical Case for the Moral Reconstruction of SRE Policy Discourse in England

**Olwyn Elizabeth Mark
PhD, Middlesex University, 2014**

This thesis presents a theo-ethical critique of the liberal metanarrative that influences and shapes the current moral framework of Sex and Relationship Education (SRE) policy, in particular, the liberal approach towards sex education espoused by David Archard, which advocates providing young people with the maximum amount of information around their sexual choices, and defends a view of sexual morality which holds that anything sexually goes, as long as it is in private, between consenting adults and harms no-one else.

In highlighting a liberal approach to policy making, this thesis reveals the liberal principles at work in health education and moral education, two central policy discourses that inform and shape SRE. In analysing the ethical theories therein and their underlying presuppositions, specifically those evident in an ‘informed choice’ approach, this thesis demonstrates the incoherence and inadequacy of the current moral framework, pointing in particular to the falsity of a self-legislated choice and the inadequate foundation for moral truth within the current framework. In addition, the adequacy of the current moral narrative on sex and relationships, as shown by Archard’s position, in shaping a robust public sexual ethic, is examined and critiqued.

In adopting a constructive approach to public engagement, this thesis also demonstrates how a theological virtue ethic can enrich moral discourse in SRE. In particular, the virtues of Christian love and chastity are identified as two virtues which correspond with a Christian vision of human flourishing, dispositions that present a more adequate and coherent vision of a sexually and relationally educated young person.

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Above all, 'to Him who is able to do immeasurably more than all we ask or imagine, according to His power that is at work within us'.

Abbreviations

CUP – Cambridge University Press

DfEE – Department for Education and Employment

DoH – Department of Health

HMSO – Her Majesty’s Stationary Office

HUP – Harvard University Press

IVP – Inter-Varsity Press

NICE – National Institute for Health and Care Excellence

OUP – Oxford University Press

PSHE – Personal, Social, Health and Economic Education

SCAA – School Curriculum and Assessment Authority

SEF – Sex Education Forum

SPCK – The Society for Promoting Christian Knowledge

SRE – Sex and Relationship Education

TSO – The Stationary Office

WHO – World Health Organisation

YUP – Yale University Press

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Chapter 1

Introduction: Agreeing the ‘Good’ of Sex and Relationship Education (SRE)¹

1.1 Introduction: Moral Discourse in SRE

In a liberal democracy like the UK, where a plurality of worldviews co-exist, it is unsurprising when a variety of possible policy approaches to SRE emerge, invariably shaped by different moral and political values and commitments. At the very least, each possible approach adopts a view on the appropriate level of state involvement in what is rightly perceived to be a sensitive subject area. SRE is arguably a subject that should remain the sole domain of the home, or equally one in which the state endangers infringing individual liberty.² Indeed, it should be noted from the outset that a questionable level of importance and influence continues to be assigned to the place of school-based SRE in tackling what are judged to be the sexual and relational ‘harms’ evident in wider society. For the ever-present danger exists that the liberal state is unfairly apportioned a level of responsibility for aspects of individual and societal well-being that it has no authority over or, indeed, ability to dictate. As Bernard Crick notes: ‘No state has the capacity to ensure that men are happy; but all states have the capacity to ensure that men are unhappy. The attempt to politicize everything is the destruction of politics’.³ Therefore, in recognising a role for school-based SRE, while at the same time acknowledging its limitations, this thesis will not argue for the introduction of SRE as a statutory part of the national curriculum, but will present the case for a renewed

¹ Sex and Relationship Education (SRE) is the name used within policy discourse in England for the non-statutory curricular subject concerned with ‘lifelong learning about physical, emotional and moral development’ (Department for Education and Employment, *Sex and Relationship Education Guidance DfEE 0116/2000*, London: HMSO, 2000, 5). The DfEE guidance 2000 for head teachers, teachers and school governors, remains the most recent comprehensive guidance for SRE in England, with supplementary guidance issued in 2014 by Brook, PSHE Association and Sex Education Forum (*Sex and Relationships Education(SRE) for the 21st Century: Supplementary Advice to the Sex and Relationship Education Guidance DfEE (0116/2000)*, 2014, (<http://www.sexeducationforum.org.uk/media/17706/sreadvice.pdf>; accessed 07.07.14).

In addition to SRE, I shall refer to ‘sex and relationships education’ and ‘sex education’ interchangeably, influenced particularly by the specific term used within a particular document or by a particular author, about which or to whom I am making comment. I would echo the concern that Sex and Relationship (singular) Education appears to only be concerned with sexual monogamous partnerships, rather than acknowledging the importance of educating for all relationships, including non-sexual ones (P. Alldred and M.E. David, *Get Real About Sex: The Politics and Practice of Sex Education*, Maidenhead: Open University Press, 2007, 35).

² This thesis raises questions, therefore, not only around a liberal approach to policy making, but a liberal approach to education, which will be discussed in more detail in Chapter 3.

³ B. Crick, *In Defence of Politics* (5th ed.), London: Continuum, 2000, 151.

exploration of the common values and virtues within policy guidance and surrounding discourse.

As with any issue of public policy, it is the role of public moral discourse to engage with and critique alternative approaches to SRE in order to establish a position on the agreed ‘good’ of the subject, the desired outcomes, or the end to which the subject is directed. Paul Trowler, for example, notes that beyond the technical questions of policy implementation, education policy operates within a normative framework, where questions will include:

What has been identified as the “problem” that needs to be addressed here and what other interpretations are there? Who gains and who loses from this policy? What are the likely consequences, intended and unintended, of this policy for the education system and more broadly?’⁴

The ‘good’ policy, therefore, cannot be chosen without reflecting on and responding to these value-laden questions. Beyond the immediate answers that begin to uncover a variance in worldview perspectives,⁵ I shall suggest that the moral and value judgements made in policy discourse and decision-making around SRE can be more implicit and complex.⁶ Not only do they engage with philosophical questions and debates relevant to education, they are made within a cultural context experiencing rapid moral change. In particular, sex education has emerged within a Western culture in which, it is suggested, sexual values, attitudes and behaviours have changed more in the second half of the twentieth century than they have done in the previous five hundred years.⁷ Consequently, a seismic shift in society’s attitudes and values towards sex and relationships will result in significant changes to relevant legal and policy

⁴ P. Trowler, *Education Policy* (2nd ed.), London: Routledge, 2003, 173.

⁵ See James Sire’s discussion on worldview in *The Universe Next Door* (5th ed.), Nottingham: IVP, 2009, in particular, his 8 basic questions for exposing the foundations of a worldview (22, 23). Recognising the complexity of worldview categories, I acknowledge with him that ‘within any given worldview, core commitments may vary widely’ (23).

⁶ Robert Leach, for example, suggests that public policy ‘proceeds on the basis of ideological assumptions, even though these may not be clearly articulated, or even consciously recognised’ (R. Leach, ‘Political Ideas’, M. Mullard (ed.), *Policy-making in Britain: An Introduction*, London: Routledge, 1995, 14). In addition, decisions take place within the complexity of the current societal structures and policy-making framework. As a consequence, Simon James points out that, within British central government, policy-making is an ‘untidy business’, highlighting six stages of the policy process, and the ‘dynamic forces’ which drive and shape this process (S. James, *British Government: A Reader in Policy Making*, London: Routledge, 1997, 3, 6). Distinguishing policy from the philosophical ideas and values of a particular government, he defines it simply as ‘a course of action which the government has taken a deliberate decision to adopt’ (2).

⁷ J.M. Halstead and M.J. Reiss, *Values in Sex Education: From Principles to Practice*, London: RoutledgeFalmer, 2003, 17.

frameworks, not to mention curricular content, a shift evidenced both in the UK and beyond.⁸

The implications for education policy discourse should not be underestimated, nor the challenge of reaching any kind of ideological consensus. As Clyde Chitty points out, ‘no one can pretend that the relationship between education and society is straightforward or uncontroversial’.⁹ For example, Maurice Kogan points to ‘four crudely defined sets of values’ which he suggest interchangeably shape education policy - educational, social, economic and institutional; such values are indicative of, and help to shape the publicly defined account of, an educated person.¹⁰ For while raising educational standards plays a central role in any political manifesto, as Chitty suggests, it is not always so clear what is meant by this and therefore how exactly it should be achieved.¹¹ This invariably presents particular challenges for the creation and implementation of education policy, for policy statements may reflect multiple meanings and agendas, not least the political and educational ideologies at work.¹² In addition, when it comes to young people’s sexual behaviour, controversies are not limited to discourse within education. In view of changes to the social and moral landscape, Leon Eisenberg, for example, suggests that significant changes in work patterns and in lifestyle choices invariably have consequences for health.¹³ These various dynamics are evidenced in a brief account of the development of SRE.¹⁴

Although there are numerous names given to programmes concerned with young people’s sexual health, behaviour and well-being, both in the UK and internationally,

⁸ See Chapter 4 for a fuller exploration of these cultural shifts in attitudes and values, shifts which are, as Halstead and Reiss suggest, at least reflected across the Western world.

⁹ C. Chitty, *Education Policy in Britain*, Basingstoke: Palgrave MacMillan, 2004, 15.

¹⁰ M. Kogan, ‘Education Policy and Values’, I. McNay and J. Ozga (eds.), *Policy-making in Education: The Breakdown in Consensus*, Oxford: Pergamon Press, 1985, 11-23, 19. Such value assumptions are positioned within a wider discussion on the purpose of education, which, while beyond the remit of this thesis, are reflected within discussions on the meaning and purpose of moral education, and, in particular, SRE, and the values imbued within policy discourse.

¹¹ Chitty, *Education*, 3.

¹² See Chapter 3 of Trowler’s, *Education Policy* (2nd ed.) for an outline of identified political and educational ideologies at work in the making of education policy. While recognising that SRE policy has developed within the dynamic outworking of both of these fields, it is the purpose of this thesis to identify the overarching principles and values that currently shape SRE policy discourse. Policy is further influenced by a wider discourse around the philosophical questions concerning sex, which I will discuss in Chapter 4 (See J.A. Diorio, ‘Sex Education’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 986-997).

¹³ L. Eisenberg, ‘Value Conflicts in Social Policies for Promoting Health’, S. Doxiadis (ed.), *Ethical Dilemmas in Health Promotion*, Chichester: John Wiley and Sons, 1987, 99-116, 104.

¹⁴ See 2.1.

and various contexts and modes of delivery,¹⁵ I am particularly concerned with exploring the moral principles and resulting normative framework, evident in policy guidance, legislation, and the surrounding discourse, that shapes school-based SRE in England. While drawing on the key pieces of government policy guidance and legislation currently in place concerning SRE, alongside, and in dialogue with, academic discourse around the subject, the use of public policy examples is to draw attention to what I will argue are the ethical principles that are shaping the moral and political landscape of school-based SRE in England.¹⁶ Therefore, this thesis will extrapolate more fully and critique the explicit and implicit moral values evident in SRE policy, and the moral vision towards which policy and practice is directed. This will involve identifying philosophical positions and value judgments, in particular those embedded in the public moral frameworks shaping health education and moral education,¹⁷ and the ontological presuppositions concerned with human nature and sexuality evident therein. In light of a comparative analysis of these discourses, and a critique of the emerging values and moral narrative shaping a public sexual ethic, I will re-imagine and reconstruct an alternative moral framework within which to re-position SRE shaped by a theological virtue ethic.

Many of the philosophical and ethical questions raised in this thesis emerged in my own thinking during an intensive five-year period working within a Christian Relationships and Sexuality Education (RSE) project in Northern Ireland. This work encompassed programme delivery in primary and post-primary schools, at a Northern Ireland and international level, delivering training to parents and school leaders, and partnering with government agencies at a local and central level in policy development and implementation.

In particular, questions emerged around the nature and purpose of sex education, how it should be taught, what moral vision should be presented within public moral discourse, how such agreement could be reached, and what was distinctive about a Christian approach to this subject as compared to other worldview perspectives. It became

¹⁵ See examples in R. Ingham and N. Stone, 'Young People and Sex and Relationships Education', P. Aggleton and R. Ingham (eds.), *Promoting Young People's Sexual Health: International Perspectives*, Abingdon: Routledge, 2006, 192-208.

¹⁶ The political and legal status of SRE under the Coalition Government in England is set out in the Sex Education Forum (SEF) briefing paper: http://www.ncb.org.uk/media/385195/current_status_of_sre.pdf, accessed 13.02.13.

¹⁷ I will evidence in Chapter 3 why and how health promotion and moral education, two leading policy discourses concerned with young people's sexual behaviour, have shaped the moral content of SRE policy.

apparent to me that the moral and spiritual content of public moral discourse was poorly scrutinised, not least, the underlying presuppositions concerning sexuality.

The completion of an MA course in Bioethics allowed me to examine more closely the current public policy approach in England directed towards addressing young people's sexual behaviour, including critically scrutinising the ethical principles at work within public moral discourse. Concern emerged over the dominance of the principle of autonomy in public health discourse, and the narrow definition of 'harm' employed; in addition, the potential for an approach shaped by a virtue ethic was identified. The completion of a Diploma in Theology allowed me to locate this ethical framework within wider public theological discourse.

Therefore, my public theological engagement in this thesis will be ultimately framed by a theological ethic.¹⁸ However, it will at the same time heavily engage with philosophical discourse, affirming James Gustafson's position on the inevitable relationship between the two: 'Theological ethics, if done with any effort to be comprehensive and coherent, cannot avoid being philosophical'.¹⁹ Ethics, in particular, as a subdivision of philosophy, is primarily concerned with the study of goodness and the study of right action: 'What ends we ought, as fully rational human beings, to choose and pursue and what moral principles should govern our choices and pursuits'.²⁰ These philosophical questions, John Deigh notes, correspond with, among other things, issues concerning human well-being and flourishing, intrinsic value, and principles of right and wrong,²¹ and normative ethical theories emerge which seek to provide a coherent framework in which to answer these questions.

Engaging, in particular, with a theological virtue ethic, I shall explore an understanding of the young person as moral agent, how their moral character is informed and shaped not only by their moral decisions, but by the moral narrative of their community. In so

¹⁸ Unlike other ethical theories, a theological ethic draws on different sources of authority to shape its normative framework. William Spohn suggests that 'whereas philosophical ethics depends upon the interaction between moral theory and empirical data, Christian ethics adds two additional sources: Scripture and tradition (the historical process in which the gospel has been understood and applied)' (W.C. Spohn, 'Scripture', G. Meilaender and W. Werpehowski (eds.), *The Oxford Handbook of Theological Ethics*, Oxford: OUP, 2005, 93-111, 95).

¹⁹ J.M. Gustafson, *Ethics from a Theocentric Perspective, Volume Two: Ethics and Theology*, London: The University of Chicago Press, 1984, 97.

²⁰ See J. Deigh, 'Ethics', R. Audi (ed.), *The Cambridge Dictionary of Philosophy*, Cambridge: CUP, 1995, 244-249, 244.

²¹ Deigh, 'Ethics', 244.

doing, I will critique what I perceive to be the dominant metanarrative,²² reflected in a so-called liberal approach to sex education, which is shaping the normative ethical framework of SRE discourse. I will argue a case for why the existing framework, in which a vision of human flourishing, intrinsic value and right and wrong are presented, is being shaped by an anthropological vision of the young person and a moral epistemology that is fundamentally flawed. David Gushee and Glen Stassen highlight the importance of understanding the ‘causative forces’ that shape a society and the individuals within it, in order to enable Christians to effectively correct secular ideologies, pursue justice and seek the welfare of the city (Jeremiah 29:7).²³

1.2 Shaping the Moral Framework of SRE

In noting that SRE policy in England is situated within an overarching metanarrative that is shaped by the political philosophy of liberalism,²⁴ it is the values emerging from enlightenment rationalism, and the underlying presuppositions evident therein, that I will critique.²⁵ In the face of the complexity of the social context, I recognise, in particular, that policy discourse must be understood against the moral commitments of

²² In identifying enlightenment liberalism as the grand narrative of SRE discourse, I acknowledge that Jean-Francoise Lyotard defined postmodernism as ‘incredulity toward metanarratives’ (*The Postmodern Condition: A Report on Knowledge*, G. Bennington and B. Massumi (trs.), Minneapolis: University of Minnesota Press, 1984, xxiv). However, J.K.A. Smith points to his use of ‘metanarrative’ in terms of ‘false appeals to universal, rational, scientific criteria – as though they were divorced from any particular myth or narrative’ (*Who’s Afraid of Postmodernism? Taking Derrida, Lyotard, and Foucault to Church*, Grand Rapids: Baker Academic, 2006, 68). As such, I echo Lyotard’s critique, affirming the reality that ‘all knowledge is rooted in *some* narrative or myth’ and cannot be derived from an appeal to universal reason (69).

²³ D.P. Gushee and G.H. Stassen, *Kingdom Ethics: Following Jesus in Contemporary Context*, Downers Grove: IVP, 2003, 76.

²⁴ For an introduction to the origin, content and central thesis of liberalism see, for example, J. Rawls, *Lectures on the History of Political Philosophy*, S. Freeman (ed.), London: Belknap Press of HUP, 2007. See also W. Nelson, ‘Liberal Theories and their Critics’, R.L. Simon (ed.), *The Blackwell Guide to Social and Political Philosophy*, Oxford: Blackwell, 2002, 197-217, for a discussion on significant contributors to liberal theory and political liberalism since the mid-20th century. Of course, I do not presuppose that liberalism is a unitary, monolithic tradition, nor, indeed, that there is only one understanding of its ontological foundations (see, for example, C.J. Insole, ‘Two Conceptions of Liberalism: Theology, Creation and Politics in the Thought of Immanuel Kant and Edmund Burke’, *Journal of Religious Ethics*, Vol. 36, No. 3, 2008, 447-489).

²⁵ See W. Donner, A.M. Schmitter and N. Tarcov, ‘Enlightenment Liberalism’, R. Curren (ed.), *A Companion to the Philosophy of Education*, Oxford: Blackwell, 2003, 73-93 for an introduction to key enlightenment thinkers and their insights on education. Mark Halstead explores an understanding of liberal education as one that advocates the core values of freedom, equality and rationality, the later needed, he suggests, to resolve the tension between the first two (J.M. Halstead, ‘Liberal Values and Liberal Education’, W. Carr (ed.), *The RoutledgeFalmer Reader in Philosophy of Education*, Abingdon: Routledge, 2005, 111-123, 112). He limits his discussion of liberalism to the strand which can be traced from Kant to liberal education philosophers such as R.S. Peters and Paul Hirst, the strand which, for him, appears to be ‘the most influential one in contemporary liberal thought’ (Halstead, ‘Liberal’, 111).

In Chapter 3, I will explore how liberal educational ideals are outworked in a Utilitarian approach to health education, and a Kantian approach to moral education, in particular, the development of the rational mind and the pursuit of personal autonomy and freedom.

any culture, including its political structures, at any given time. In turn, liberal political theory influences the aims, structure and content of education, with education playing a central role in upholding the ideals of liberalism.²⁶ It is moral philosophy, however, that ‘sets the background for, and boundaries of, political philosophy’.²⁷ As Mark Halstead reminds us, an understanding of the educational values of any society is best achieved by examining the broader framework of values within the society in question.²⁸

This broader framework of values has particular implications for moral education. James D. Hunter notes that we should recognise moral education as ‘an exercise in the transmission of culture’, suggesting it is ‘*always more a reflection of the social order than a mechanism by which the social order is transformed*’.²⁹ Therefore, where Nel Noddings and Michael Slote point out that moral education will inevitably be impacted by changes in moral customs and moral philosophy,³⁰ we cannot overlook the implications for SRE. Mark Halstead and Michael Reiss claim that, unlike other subjects on the curriculum, sex education acquires a central moral dimension, as it fundamentally concerns human relationships.³¹

In his ‘philosophical theology of culture’,³² James K. A. Smith argues that a Christian philosophical anthropology points to the fact that our intentional, desiring and imagining nature takes precedent over our cognitive faculties, recognising that our desires are constantly being shaped and directed by the dominant ‘cultural liturgies’.³³ In particular, he critiques the reductionist picture of the human person as purely a rationalist, thinking, believing being, a picture which he suggests has been accommodated within Christian education.³⁴ This, indeed, echoes Nicholas Wolterstorff’s critique of a Christian education which fails to appreciate the embodied,

²⁶ See M. Levinson, *The Demands of Liberal Education*, Oxford: OUP, 1999.

²⁷ R. Nozick, *Anarchy, State, and Utopia*, Oxford: Basil Blackwell, 1974, 6.

²⁸ Halstead, ‘Liberal’, 111.

²⁹ J.D. Hunter, *The Death of Character*, New York: Basic Books, 2000, 27.

³⁰ N. Noddings and M. Slote, ‘Changing Notions of the Moral and of Moral Education’, N. Blake, P. Smeyers, R. Smith and P. Standish (eds.), *The Blackwell Guide to the Philosophy of Education*, Oxford: Blackwell, 2003, 341-355, 341.

³¹ Halstead and Reiss, *Values*, 3.

³² J.K.A. Smith, *Desiring the Kingdom: Worship, Worldview, and Cultural Formation*, Grand Rapids: Baker Academic, 2009, 14.

³³ Smith, *Desiring*, 71. By ‘cultural liturgies’, Smith explores the idea of liturgies as ritual practices that are formational in that they are directed towards ultimate ends or ideals of human flourishing, ‘ritual practices that function as pedagogies of ultimate desire’ (Smith, *Desiring*, 87).

³⁴ Smith, *Desiring*, 41-46.

‘praxis-orientated’, nature of the learner; he calls for the development of a ‘new anthropology’ which gives meaning to our reality as ‘*interactive creatures*’.³⁵

It is the narrative context in which education takes place, one that shapes the practices and habits of the moral agent, which reflects a key feature of a virtue ethic approach to moral theory and moral education.³⁶ The moral agent cannot be understood apart from their social reality: ‘The solitary, thinking individual posited by Descartes finds no place in Christian theological anthropology. To be human is to be-in-relation’.³⁷ Primarily concerned with critiquing and re-imagining Christian practices in education that are re-oriented as much towards the affective as the cognitive nature, Smith rightly recognises that ‘education as formation’ is not confined to the school or classroom context,³⁸ but carries out a ‘cultural exegesis’ of the secular liturgies³⁹ which, in light of a Christian view of human flourishing, he believes are shaping the loves and desires of students towards misdirected ends, ‘aiming our heart away from the Creator to some aspect of the creation as if it were God’.⁴⁰ This re-iterates the positive yet limited role that schools are believed to play in character formation, in particular, a role that at the very least ‘only complements the influence of the home’.⁴¹

It should be noted that Smith’s ‘cultural exegesis’ uses case studies that are nuanced towards an American cultural context. In addition, although Smith is particularly concerned with a critique directed at Christian education and worship, unlike the direction of my own, I would suggest that his anthropological presuppositions can equally be used to critique the policy and practice of education in wider culture. Indeed,

³⁵ N.P. Wolterstorff, *Educating for Life: Reflections on Christian Teaching and Learning*, G.G. Stronks and C.W. Joldersma (eds.), Grand Rapids: Baker Academic, 2002, 82.

³⁶ See 5.2.1 (b). Indeed, the counter claim is also true in that practices shape character.

³⁷ F.W. Bridger, ‘Humanity’, D.J. Atkinson and D.H. Field (eds.), *New Dictionary of Christian Ethics and Pastoral Theology*, Leicester: IVP, 1995, 21-27, 25.

³⁸ Smith, *Desiring*, 19.

³⁹ In exploring a few case studies, he investigates in more depth the practices evident in ‘the mall, the stadium and the university’ (Smith, *Desiring*, 93).

⁴⁰ Smith, *Desiring*, 88.

⁴¹ James Arthur et al. point to ‘the mass media, religious communities, youth culture, peer groups, voluntary organisations and above all parents and siblings as carrying more weight in character development’ (J. Arthur, R. Deakin Crick, B. McGettrick, E. Samuel and K. Wilson, *Character Education: The Formation of Virtues and Dispositions in 16-19 Year Olds with Particular Reference to the Religious and Spiritual*, 2006, (http://www.learningforlife.org.uk/wplife/wp-content/uploads/2010/06/Character-Education_FULL.pdf; accessed 20.06.14).

It is also noted that the family and parent-child relationships ‘appear to be the greatest factor influencing the level of sexual behaviour among young people’ (P. Boydell and C. MacKellar, *Informing Choice: New Approaches and Ethics for Sex and Relationships Education in Scotland*, Edinburgh: Scottish Council on Human Bioethics, 2004, 41).

he affirms the application of his ‘liturgical anthropology’ within the secular context in *Imagining the Kingdom*, the sequel to the first book in the trilogy.⁴²

In addition, a critique of the cultural *telos* of moral and character formation should not overlook the active role and responsibility of the moral agent in acquiring, embodying, or indeed, rejecting the societal descriptor.⁴³ For in understanding the human learner in relational terms, Brian Hill points out, we should not overlook their capacity for reason and self-determination.⁴⁴ Richard Harries points to the firm grounding that the principle of liberty has in the Christian faith, in particular, the capacity and freedom to make choices.⁴⁵ Nevertheless, the attention Smith gives to the influences of dominant cultural practices and institutions in shaping the learner echoes what, for Gushee and Stassen, is the importance for the character ethicist in understanding the ‘master narrative’ of society. Critically assessing the conclusions of social sciences involves uncovering the power relationships concealed in ‘power structures and organizational functions’.⁴⁶ Indeed, in recognising the dynamic of the culture and community in shaping moral identity, there are calls within moral development discourse for research that examines this intersection between ‘community influences and norms with evolving notions of self, identity, and morality’.⁴⁷

Therefore, in re-engaging with the moral framework of SRE, it is important to scrutinize the metanarrative that is shaping our moral ideas and practices in this policy area. In acknowledging the embodied nature of the moral agent in community, I will recognise, in particular, the normative influence of public policy in shaping the social context and ultimately informing sexual practice. In his exploration of the complexity of culture and cultural change, Hunter notes how ideas that define reality are diffused and translated from the top down.⁴⁸ In light of this, I am particularly concerned with the moral norms and truth claims diffused in SRE policy discourse, which inform practice: ‘Just what

⁴² J.K.A. Smith, *Imagining the Kingdom: How Worship Works*, Grand Rapids: Baker Academic, 2013, 110.

⁴³ S. Hauerwas, *Character and the Christian Life: A Study in Theological Ethics*, San Antonio: Trinity University Press, 1975, 116.

⁴⁴ B.V. Hill, *That They May Learn: Towards a Christian View of Education*, Exeter: Paternoster, 1990, 41.

⁴⁵ R. Harries, *Faith in Politics: Rediscovering the Christian Roots of our Political Values*, London: Darton, Longman and Todd, 2010, 71.

⁴⁶ Gushee and Stassen, *Kingdom*, 76.

⁴⁷ D. Hart, M.K. Matsuba and T. Murzyn, ‘Moral Identity Development and Community’, M. Killen and J.G. Smetana (eds.), *Handbook of Moral Development (2nd ed.)*, Hove: Psychology Press, 2014, 520-537, 537.

⁴⁸ J.D. Hunter, *To Change the World: The Irony, Tragedy, and Possibility of Christianity in the Late Modern World*, Oxford: OUP, 2010, 41.

kind of person is this habit or practice trying to produce, and to what end is such a practice aimed?’⁴⁹

A Christian vision of sexuality suggests that ‘practices shape character powerfully’.⁵⁰ This is experienced not only at an individual, but a communal level. As Gushee and Stassen assert: ‘If a society relates sexually in contexts of self-seeking, manipulation, distrust and betrayal, it tends to become a society of self-seeking, manipulation, distrust and betrayal. This is simply the reality of human nature’.⁵¹ As such, in their call for ‘holistic character ethics’, they uphold the role of critical social theory and ‘assert the importance of *the way of seeing the social context* as crucial for an ethics of character’.⁵² However, in focussing my discussion primarily on policy rather than practice, it should be noted that I depart from the heart of Smith’s ‘cultural exegesis’ which advocates that we should not simply explore the ideas and values evident in policy, but instead identify the visions of human flourishing implicit in cultural practices.⁵³ In doing so, however, he does not call for an abandonment of worldview talk, but simply that our reflections on learning and cultural formation do not stop there.⁵⁴

In exploring the public policy contours of a liberal metanarrative in the light of a theological understanding of the embodied learner, this thesis shall critique, in particular, the ideas and values embedded in a so-called liberal approach to SRE which seeks to shape policy and practice in the classroom. This is a moral narrative that ultimately exalts the vision of self-authenticated choice as the end of moral education and human flourishing, as exemplified in the rhetoric of ‘informed choice’. As I shall evidence, the philosophical values and principles that shape SRE are reflective of the dominant discourse surrounding moral education. Of course, the case can be made for viewing all education as moral education; on the other hand, while recognising that other subjects can and do raise moral issues, Philip Meredith, for example, suggests that

⁴⁹ Smith, *Desiring*, 83.

⁵⁰ Gushee and Stassen, *Kingdom*, 304. This accords with an understanding of the moral agent within a virtue ethic (see 5.2.1 (a)). As such, within Stanley Hauerwas’s sexual ethic, for example, preceding questions over the moral legitimacy of sexual behaviours is a question concerning character: ‘What kind of people do you want to encourage?’ (S. Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic*, Notre Dame: University of Notre Dame Press, 1981, 180).

⁵¹ Gushee and Stassen, *Kingdom*, 292.

⁵² Gushee and Stassen, *Kingdom*, 75.

⁵³ Smith, *Desiring*, 89.

⁵⁴ ‘The argument of *Desiring the Kingdom* is not that we need *less* than worldview, but *more*: Christian education will only be fully an education to the extent that it is also a formation of our habits. And such formation happens not only, or even primarily, by equipping the intellect but through the repetitive formation of embodied, communal practices’ (Smith, *Imagining*, 10). See, for example, D.I. Smith and J.K.A. Smith, *Teaching and Practices: Reshaping Faith and Learning*, Cambridge: Eerdmans, 2011 for a reflection on the impact of Christian practices on pedagogical approaches.

it is a ‘matter of degree’ whether the value of a subject lies in acquiring knowledge rather than on personal development.⁵⁵ This distinction, as Graham Haydon points out, depends on the aims of moral education.⁵⁶

It is a post-Enlightenment account of education, one in which the aim of moral education is the ‘deliberate development of rational moral autonomy’,⁵⁷ which I will evidence and critique as the dominant metanarrative in SRE discourse and one that presents a flawed anthropological and epistemological understanding of moral education and formation. Haydon points to the naivety of this rationalist account on at least two accounts: first, it fails to engage with the expectation that a person should conform to public norms, and, secondly, it fails to account for an individual’s sources of value.⁵⁸ Absent from a rationalist account is an adequate consideration of motivation and feelings and, consequently, little account of actual behaviour.⁵⁹

1.3 Critiquing the Liberal Metanarrative in SRE

In identifying the liberal metanarrative in which SRE policy is currently positioned, and the many ways that ‘liberal’ could be understood and interpreted, my critique will centre on the philosophical position espoused by David Archard in his discussion on how we should teach sex. Promoting a liberal approach to sex education, Archard argues, will involve providing young people with the maximum amount of information around their sexual choices,⁶⁰ with choice accorded a central role in the legitimization of sexual conduct, and defending a view of sexual morality which holds that ‘anything sexually goes so long as it is in private, between consenting adults, and harms no-one else’.⁶¹ Indeed, in line with his view of the liberal end of education, that of producing independent, autonomous citizens, he suggests that teaching about sex is no different from teaching about other subjects: ‘We should be as free in our sexual lives as it is alleged we should be in every other part of our life. And we should teach sex in a way

⁵⁵ P. Meredith, *Sex Education: Political Issues in Britain and Europe*, London: Routledge, 1989, 42.

⁵⁶ G. Haydon, ‘Moral Education’, R. Curran (ed.), *A Companion to the Philosophy of Education*, Oxford: Blackwell, 2003, 320-331, 321.

⁵⁷ Haydon, ‘Moral’, 322.

⁵⁸ Haydon, ‘Moral’, 324.

⁵⁹ Haydon, ‘Moral’, 323, 324.

⁶⁰ D. Archard, ‘How Should We Teach Sex?’, *Journal of Philosophy of Education*, Vol. 32, No. 3, 1998, 437-449, 447.

⁶¹ Archard, ‘How’, 448.

that is consistent with that ideal. The onus is on the critic to show why it should not be thus'.⁶²

Bridging educational and political philosophy, an attempt at achieving a value-neutral position on SRE is one that equates with a liberal approach to policy making more broadly. As such, Archard affirms that a neutral position is achieved when beneficial consequences are aimed at and recognised harms are avoided, i.e. the justification for the policy is neutral.⁶³ Nevertheless, he acknowledges the difficulty with this position in that every approach to sex education will argue that their position will prove maximally beneficial and the other approaches will result in harm, leaving the dilemma for policy makers as to whether they should take account of all views on sexual morality.⁶⁴ In response, he suggests that the liberal may adopt the approach that only accepts those views that are deemed 'reasonable'; however, as he points out, this does not resolve questions over behaviours which may be rationally defensible yet remain morally questionable.⁶⁵ Nor, indeed, does it answer the question of who, or what, determines the criteria on which a particular behaviour might be deemed reasonable.⁶⁶ While sexual autonomy is the desired moral end, fundamental questions over the ontological foundations of moral knowledge remain unanswered.

Alan Harris, in the first of edition of the *Journal of Moral Education*, echoed this liberal ideal by suggesting that, while sex education cannot impose a 'particular attitude towards "sexual morality"', it must maximise freedom for the individual by providing 'the maximum possible degree of knowledge and understanding concerning sexual behaviour'.⁶⁷ It is at least recognised within SRE policy that this information should include knowledge of the law on sexual behaviour⁶⁸ for, at the very least, unconstrained freedom is neither desirable nor possible and moral autonomy must at least be

⁶² Archard, 'How', 448.

⁶³ D. Archard, *Impact (No.7): Sex Education*, John White (ed.), Philosophy of Education of Great Britain, 2000, 22.

⁶⁴ Archard, 'How', 440.

⁶⁵ Archard, 'How', 440.

⁶⁶ Julian Rivers warns of public moral discourse reverting to a position of 'liberal agnosticism'; when achieving equality of outcome is coupled with uncertainty about the desired outcomes, the danger of moral neutrality emerges within legal and policy decision-making with regards to the good of various lifestyle choices. In short, when equality becomes an ultimate value, yet divorced from its essential nature, the danger exists that 'the language of equality relieves us of the responsibility of making positive arguments for this new conception of the good, merely legitimising arbitrary shifts of moral sentiment and silencing their opponents' (J. Rivers, 'The Abuse of Equality', *Ethics in Brief*, Vol. 11, No. 1, Summer 2006, (<http://klice.co.uk/uploads/Ethics%20in%20Brief/Rivers%20v11.1%20pub.pdf>; accessed 15.08.14).

⁶⁷ A. Harris, 'What does 'Sex Education' mean?', *Journal of Moral Education*, Vol. 1, No. 1, 1971, 7-11, 7.

⁶⁸ DfEE, 'Sex', 21.

constrained by socially agreed norms of behaviour.⁶⁹ However, within the moral boundaries defined by the law of consent, it would appear that the moral imperative of SRE is one that places the onus on the young person to clarify their own moral values. As already noted, to presume that a young person can shape their own moral identity, independent of an over-arching metanarrative and the social values therein, is one of the central critiques of this thesis. As Denis Hollinger points out, ‘all ethical reflection and action occurs in the context of a larger worldview’.⁷⁰ In addition, in light of Smith’s argument, this reflection and understanding is arguably not purely, or even primarily cognitive, but affective and driven by what we ultimately love.

1.3.1 Incoherent and Inadequate Public Vision of Moral Education

The liberal position espoused by Archard and Harris is currently reflected in policy discourse. For example, in its 2010 Schools White Paper, the Coalition Government defined the ‘good’ of sex education as follows:

Children need high-quality sex and relationships education so they can make wise and informed choices. We will work with teachers, parents, faith groups and campaign groups, such as Stonewall to make sure sex and relationships education encompasses an understanding of the ways in which humans love each other and stresses the importance of respecting individual autonomy.⁷¹

In view of this statement, and alongside an analysis of the current moral framework of SRE as evidenced in policy guidance documents and policy discourse, I shall argue, from a theologically informed position, that the current policy approach in England, which informs practice, is shaped by a moral framework that yields an incoherent and inadequate vision of moral education and human flourishing. This is a result of the public moral framework being shaped by an anthropological vision of the young person and a moral epistemology that is fundamentally flawed.

First, it is shaped by a moral discourse that is explicitly and often exclusively directed towards the maximisation of individual autonomy, often through the mantra of ‘informed choice’ and a purely cognitive understanding of moral discernment and formation. In so doing, it presents an inaccurate conception of moral identity formation, assuming the possibility that this can take place aloof from any concept of the good, in

⁶⁹ Indeed, I shall explore in Chapter 4 how the law exists as the final arbiter of public sexual morality.

⁷⁰ D.P. Hollinger, *The Meaning of Sex: Christian Ethics and the Moral Life*, Grand Rapids: Baker Academic, 2009, 43. Hollinger offers a helpful distinction between ‘Ethical Theories and Sex’ and ‘Worldviews and Sex’ in identifying the ‘Frameworks’ within which the meaning of sex is understood.

⁷¹ Department for Education, *The Importance of Teaching: The Schools White Paper*, Norwich: TSO, 2010, 46, (<https://www.education.gov.uk/publications/eOrderingDownload/CM-7980.pdf>; accessed 14.02.13).

particular, any relational norms or expectations which are invariably shaped by particular cultural norms, values and ‘liturgies’. As such, I shall argue that what results is a moral order that fails to provide an adequate vision of the ‘relational’ nature of moral formation, and, as such, presents a ‘less than human approach’ to moral education.⁷²

Secondly, the ‘epistemological agnosticism’⁷³ that is evident in liberal approaches to SRE, where all values appear to be subjective⁷⁴ and relative,⁷⁵ fails to provide a moral defence for the existence of objective moral principles to guide sexual behaviour. For in exploring the nature of moral education, David Carr points to what, for him, are a few fundamental assumptions:

that the very possibility of moral education depends upon making sense of the idea of moral enquiry; that moral enquiry depends on making sense of moral knowledge; that moral knowledge is dependent upon the possibility of moral truth; and that this, in turn, requires a substantial account of the objectivity of moral values.⁷⁶

Thus, in critiquing what he regards as the dominant theory of moral education, that has emerged from enlightenment rationalism, it is an account of objectivity which is ultimately being seriously contended.⁷⁷ Concerning the nature of moral knowledge, Robert Audi notes that, unlike scientific knowledge, ‘there is a widespread inclination to take moral judgements to be at best culturally conditioned assertions with no claim to

⁷² Perry L. Glanzer and Todd C. Ream explore a ‘less than human approach’ to moral education in their critique of moral identity formation in Higher Education, in particular, American Higher Education (P.L. Glanzer and T.C. Ream, *Christianity and Moral Identity in Higher Education*, New York: Palgrave Macmillan, 2009).

⁷³ This is a phrase used by Professor David Carr in his articulation of the problems with values education (D. Carr, ‘Problems of Values Education’, J. Haldane (ed.), *Values Education and the Human World: Essays on Education, Culture, Politics, Religion and Science*, Exeter: Imprint Academic, 2004, 14-30, 27).

⁷⁴ This is to understand the nature and grounds of values from a position of moral subjectivism, i.e. one where ethics has no objective truth, but where moral judgements are expressions of one’s own attitudes, beliefs and emotions (Deigh, ‘Ethics’, 248; R. Foley, ‘Subjectivism’, *The Cambridge Dictionary of Philosophy*, Cambridge: CUP, 1995, 773).

⁷⁵ In exploring the relativism of moral knowledge, Robert Audi notes at least two ways in which this is understood: moral judgements are true relative to a particular culture, or there are simply no universally valid moral truths to be known (R. Audi, *Epistemology: A Contemporary Introduction to the Theory of Knowledge* (2nd ed.), Abingdon: Routledge, 2003, 268). As Simon Blackburn points out, relativism is ‘an expression of the idea that there is no one true body of doctrine in ethics’ (S. Blackburn, ‘Relativism’, H. LaFollette (ed.), *The Blackwell Guide to Ethical Theory*, Oxford: Blackwell, 2000, 38-52, 38).

⁷⁶ D. Carr, ‘Moral Education and the Objectivity of Values’, D. Carr (ed.), *Education, Knowledge and Truth: Beyond the Postmodern Impasse*, London: Routledge, 1998, 114-128, 114.

⁷⁷ As an advocate of a virtue approach to moral education, I shall explore and echo a number of insights from Carr throughout this thesis, in particular, his philosophical insights concerning moral and spiritual education and sex education. I shall do so through the lens of a theological ethic.

genuine truth'.⁷⁸ This contrasts with the view of moral realism expressed by Carr, a view that I shall affirm in the course of this thesis.⁷⁹

In light of these concerns over the objectivity of moral values in education, fundamental questions for this thesis emerge: Where the moral end of SRE is the rationally determined, 'informed', yet subjective conclusions of the young person, as espoused by Archard, does this present a sufficient vision of moral education? In addition, does enlightenment rationalism provide a coherent account of moral knowledge and moral truth, grounded in objective moral principles, with which to shape a robust moral framework for SRE?

It is important to reiterate that while I focus my discussion on the subject of SRE as framed within PSHE, I do not presume that school-based moral education is confined to these subject areas, but instead recognise that moral principles and outlook can infuse and frame the whole of the curriculum. C.S. Lewis, in his critique of the subjective values emerging in the teaching of English, warned against abandoning 'the doctrine of objective value', or, as he re-framed it, 'the *Tao*'.⁸⁰ I acknowledge, therefore, that the agnosticism evident in the moral content of SRE may well be evident elsewhere across the curriculum.

Thirdly, in view of moral education reflecting the norms and values of culture, it is important to extrapolate and critically reflect on the current moral norms concerning sex evident in policy discourse. In particular, what is the underlying worldview and corresponding vision of human flourishing presented in SRE policy discourse, and do the ontological presuppositions offer an adequate foundation on which to build a robust public sexual ethic? As such, does it give shape to an adequate and coherent moral framework in which the meaning and purpose of young people's sexual behaviour can be understood? I shall argue that, where sexual morality becomes a matter of social construction and consensus, shaped by the definition of 'harm' that is culturally adopted, there is no longer a basis on which to contend for the existence of universally held, objective moral truth with regards to sexual practices as taught within SRE. Consequentially, the current moral narrative on sex, informed by a naturalistic

⁷⁸ Audi, *Epistemology*, 267.

⁷⁹ Moral realism, notes Deigh, views ethics as 'an objective discipline, a discipline that promises discovery and confirmation of objective truths' (Deigh, 'Ethics', 248).

⁸⁰ C.S. Lewis, 'The Abolition of Man', *The Complete C.S. Lewis Signature Classics*, New York: HarperCollins, 2002 [1947], 689-738, 701.

worldview, provides an inadequate public sexual ethic from which the norms of SRE are derived.

Before exploring in more detail the public policy contours of this liberal metanarrative, presenting a brief outline of its evolution in public policy discourse, and extrapolating on the nexus of my critique, it is important to establish the theological groundwork for the public engagement presented in this thesis.

1.4 Setting the Groundwork for Public Theological Engagement

Critiquing liberalism through the lens of narrative theology, theologian and ethicist Stanley Hauerwas suggests that the perceived absence of a narrative is, for the Christian and the church, ‘the most coercive aspect of the liberal account of the world’.⁸¹ He states: ‘The story that liberalism teaches us is that we have no story, and as a result we fail to notice how deeply that story determines our lives’.⁸² However, concern is expressed that Hauerwas’s anti-liberal rhetoric endangers Christian association with political culture.⁸³ Indeed, the achievements of liberal political thought in securing freedom, equality and justice, and the Christian foundations of its classical tradition, should not be overlooked.⁸⁴ More recently, Hauerwas has been critiqued for failing to be inclusive in his thinking, for failing to see the good in ideas that are different from his own.⁸⁵ In light of this, while engaging in particular with Hauerwas’s virtue ethic, the purpose of this thesis is not to echo or engender his separatist approach to civic engagement,⁸⁶ but to present a case for the moral reconstruction of SRE policy discourse as a means of contributing to, and strengthening, a Christian contribution to democratic discourse.⁸⁷

⁸¹ Hauerwas, *Community*, 84.

⁸² Hauerwas, *Community*, 84.

⁸³ For example, while acknowledging the influence of Hauerwas’s theological credentials, Jeffrey Stout delivers a stark judgement on his political rhetoric by suggesting that ‘no theologian has done more to inflame Christian resentment of secular political culture’ (J. Stout, *Democracy and Tradition*, Princeton: Princeton University Press, 2004, 140).

⁸⁴ See, for example, Chapter 9 on Liberalism in S.C. Mott, *A Christian Perspective on Political Thought*, Oxford: OUP, 1993, 131-149, and Oliver O’Donovan’s discussion on the Christian roots of liberalism in *The Desire of the Nations: Rediscovering the Roots of Political Theory*, Cambridge: CUP, 1996, 226.

⁸⁵ N.M. Healy, *Hauerwas: A (Very) Critical Introduction*, Cambridge: Eerdmans, 2014, 7.

⁸⁶ Although Jeremy Neill suggests a renewed engagement with a Christian contribution to democracy in Hauerwas’s thinking (J. Neill, ‘Political Involvement and Religious Compromises’, *Political Theology*, Vol. 14, No. 1, 2013, 32-57, 41).

⁸⁷ For a discussion on a theological understanding of democracy see ‘What Makes Us Think God Wants Democracy’ in R. Harries, *Faith in Politics: Rediscovering the Christian Roots of our Political Values*, London: Darton, Longman and Todd, 2010, 51-70.

In affirming the theological commitment to accountable, representative and limited government, which exists for the good of all,⁸⁸ it is important to note that I will proceed on the basis of two assumptions: first, that a Christian engagement with public policy, seeking in particular to present a vision of moral education and human flourishing that will contribute to the common good, is a theologically defensible means of public engagement; and, secondly, that the current moral discourse around SRE policy is itself open, not only to receiving and reflecting on a Christian moral vision, but also to tolerating and engaging with a critique that may challenge the moral vision and norms currently embodied within policy content.

1.4.1 Public and Political Theology: A Constructive Approach

In addressing the first assumption, there is an ever-growing wealth of resources which expound the tradition of both public theology⁸⁹ and political theology⁹⁰ and, as such, fall within a wider discussion concerned with developing and critiquing various models of cultural engagement.⁹¹ A detailed exploration of these approaches and disciplines is beyond the remit of this thesis. However, I affirm the view that there is no one ideal model of cultural engagement that is relevant for all time across all cultural contexts,⁹² nor does the Church provide a ‘systematic political ethic’.⁹³ In response to the biblical

⁸⁸ See D. McIlroy, ‘The Role of Government in Classical Political Thought’, J. Chaplin and N. Spencer (eds.), *God and Government*, London: SPCK, 2009, 81-107.

⁸⁹ For a discussion on a definition of Public Theology see, for example, E.H. Breitenberg, Jr., ‘What is Public Theology’, D.K. Hainsworth and S.R. Paeth (eds.), *Public Theology for a Global Society: Essays in Honour of Max L. Stackhouse*, Grand Rapids: Eerdmans, 2010, 3-17. Public theology, Breitenberg argues, remains distinct from ‘civil religion, public religion, public philosophy, public church, political theology, social ethics, and public ethics’ (6). See also C. Green (ed.), *A Higher Throne: Evangelicals and Public Theology*, Nottingham: IVP, 2008.

⁹⁰ See, for example, W.T. Cavanaugh and P. Scott (eds.), *The Blackwell Companion to Political Theology*, Oxford: Blackwell, 2004; M. Kirwan, *Political Theology: A New Introduction*, London: Darton, Longman and Todd, 2008.

⁹¹ Richard Niebuhr’s *Christ and Culture*, first published in 1951, is regarded as a classical text in this regard, with numerous texts written in response to, and in development of, the categories presented (H.R. Niebuhr, *Christ and Culture*, New York: HarperCollins, 2009). More recently, Timothy Keller’s *Center Church* (Grand Rapids: Zondervan, 2012) offers an accessible overview of the different models of cultural engagement that he observes have emerged across the evangelical tradition. He calls for a blending of the cultural and biblical insights that each one offers as a means of developing an authentic and balanced approach to Christian engagement. In setting out his own position, he points to the insights of Miroslav Volf’s *A Public Faith: How Followers of Christ Should Serve the Common Good* (Grand Rapids: Brazos Press, 2011), who presents a ‘Two Noes and one Yes’ approach to Christian engagement with culture – a ‘No to Total Transformation’, where it is recognised that total transformation is neither possible nor desirable, a ‘No to Accommodation’, which affirms that Christian identity and difference matter, and a ‘Yes to Engagement’: ‘The prophetic role of Christian communities – their engagement to mend the world, to foster human flourishing, and to serve the common good – is nothing but their identity projecting itself outward in word and deed’ (Volf, *Public*, 96).

⁹² Keller, *Center*, 237.

⁹³ R. Williams, ‘Beyond Liberalism’, *Political Theology*, Vol. 3, No. 1, 2001, 64-73, 72. Williams notes that it does provide two related conditions: ‘a prohibition against imagining any individual or group

mandate to love God and love neighbour, I uphold a vision of public hope which projects Christ's love into society and the public square.⁹⁴ I also stand in a rich theological tradition offering a defence for political engagement.⁹⁵

Despite the political nature of my subject matter, I propose nevertheless that my engagement falls more within the remit of public rather than political theology, acknowledging the distinction that E.H. Breitenberg Jr. offers between the two:

In contrast to political theology, public theology, especially in its constructive, descriptive, and normative forms, is concerned with a variety of other publics, including economic, artistic, environmental, academic, medical, and technological publics.⁹⁶

In exploring their difference, Max Stackhouse emphasises that the public heart of civil society plays a more decisive role in shaping the political institutions than the other way around.⁹⁷ Therefore, in expounding a theological ethic that moves from a public critique of the current moral framework of SRE to a constructive account of a sexually and relationally educated young person,⁹⁸ a number of 'publics' will come into play, in particular, academic discourse concerning health and education, spheres that are not confined to politics, political institutions, or the Christian's relation to them. In this inter-disciplinary discourse, I affirm Stackhouse's assertion that:

theology, in dialogue with other fields of thought, carries indispensable resources for forming, ethically ordering and morally guiding the institutions of religion and civil society as well as the vocations of the persons in their various spheres of life.⁹⁹

In presenting a case for the moral reconstruction of SRE, my approach to public theology will accord with what Breitenberg identifies as a third type of public theology, one that is akin to theological ethics and is focussed on 'constructive efforts, descriptive accounts, and normative proposals, with respect to the issues, institutions, interactions, and processes of public life'.¹⁰⁰ In addition, in exploring the place of virtue in

interest in isolation from the good of all, and a procedural insistence upon self-questioning, in the wake of this prohibition' (72).

⁹⁴ See 'Public Hope: How can this 'good' be achieved?' in T. Laurence, *Good News for the Public Square*, London: The Lawyers' Christian Fellowship, 2014, 91-116.

⁹⁵ See, for example, the defence presented in R. Benne, 'Christians and Government', G. Meilaender and W. Werpehowski (eds.), *The Oxford Handbook of Theological Ethics*, Oxford: OUP, 2005, 325-342. He notes, 'the three great magisterial traditions of mainstream Christianity-Catholic, Lutheran, and Reformed-all have theologies that allow and even encourage participation in the political world' (331).

⁹⁶ Breitenberg, 'What', 15.

⁹⁷ M.L. Stackhouse, 'Civil Religion, Political Theology and Public Theology: What's the Difference?', *Political Theology*, Vol.5, No.3, 2004, 275-293, 285.

⁹⁸ Halstead and Reiss suggest that a means of clarifying a concept of sex education is to identify those characteristics that define a sexually educated young person (*Values*, 7).

⁹⁹ Stackhouse, 'Civil', 275.

¹⁰⁰ Breitenberg, 'What', 12. The first type offers a descriptive account of public theologians and the resources and models of engagement provided therein, while the second provides an account of definitions and methods related to public theology (11, 12).

theological ethics, I shall primarily identify with the second of Samuel Wells' three broad approaches to the subject, concerned with initiating dialogue with secular culture: 'By using philosophical and social scientific approaches, as well as the prominent place of virtue in Christian tradition, they can critique the types of character and world-view of contemporary society'.¹⁰¹

The purpose of this particular public engagement is to present a critique of the current moral framework of SRE, making a theo-ethical case for the moral reconstruction of SRE policy in England. In his discourse with Nicholas Wolterstorff on the place of religion in the public square, Robert Audi advocates for the principle of 'theo-ethical equilibrium':

where religious considerations appropriately bear on matters of public morality or of political choice, religious people have a prima facie obligation - at least insofar as they have civic virtue - to seek an equilibrium between those considerations and relevant secular standards of ethics and political responsibility.¹⁰²

However, in affirming Wolterstorff's response to Audi, which notes that there is no independent source from which to derive moral truths in the public square, I acknowledge that finding common ground through ethical reasoning, which includes an honest acknowledgement of our starting presuppositions, contributes to the common good. Therefore, while the vision of moral education and human flourishing presented in this thesis will be implicitly and explicitly shaped by a Christian theistic worldview, it is important to note that some of the arguments used to challenge the philosophical commitments currently shaping SRE policy will not explicitly appeal to a theological ethic, but instead critique the inadequacy of philosophical reasoning and the emerging moral conclusions. For example, in exploring the development of educational theory, Carr warns against what he perceives to be the development of 'bad or corrupt ethical deliberation' when it comes to educational thinking, where moral philosophy and reflection has been overtaken by an empirical scientific approach to education.¹⁰³

¹⁰¹ S. Wells, *Transforming Fate into Destiny: The Theological Ethics of Stanley Hauerwas*, Carlisle: Paternoster, 1998, 33. This is not to say that I will not be concerned with the other two approaches, i.e., that which concerns the peculiar narrative of the Christian tradition, or that which concerns discussions around human development within moral education, but in pursuing a constructive approach to public engagement on virtue, I will firstly critique the worldview commitments currently shaping SRE discourse.

¹⁰² R. Audi and N. Wolterstorff, *Religion in the Public Square: The Place of Religious Convictions in Political Debate*, London: Rowman & Littlefield, 1997, 37.

¹⁰³ D. Carr, 'The Philosophy of Education and Educational Theory', R. Bailey, R. Barrow, D. Carr and C. McCarthy (eds.), *The SAGE Handbook of Philosophy of Education*, London: SAGE, 2010, 37-53, 51.

In addition, I affirm that pursuit of the common good requires a consensus on public truth.¹⁰⁴ Julian Rivers suggests that, in committing to the biblically mandated principle of democratic equality, we accept that laws should be grounded on moral beliefs that are shared by all citizens, rather than on the creation of two levels of morality. Notwithstanding the biblical justification for the ‘institutional independence’ of the church, and the ‘conscientious witness’ of the Christian under the submission of Christ, Rivers defends a commitment to the ‘common good’ in which it is possible for Christians and non-Christians, in principle, to agree on the moral content of the law.¹⁰⁵ In particular, I will argue that the ‘moral orientation’ of the Christian faith has something to contribute to the public good as expressed within policy discourse.¹⁰⁶ Jean Porter asserts that finding common ground in moral arguments and securing moral consensus should be viewed as a ‘social good’ in public life:

A sustainable consensus must be secured, social roles must be agreed upon, rewards meted out, and sanctions imposed, children must be born and nurtured and educated, if a society is to function for any length of time. All of this presupposes a high degree of consensus; otherwise, common life could be sustained only at the cost of an unacceptable level of coercion.¹⁰⁷

Therefore, while acknowledging the rich tapestry of moral thought that has shaped an understanding of the common good within the Christian tradition,¹⁰⁸ I will affirm Miroslav Volf’s position that ‘a vision of human flourishing - and resources to realize it - is the most important contribution of the Christian faith to the common good’.¹⁰⁹ From his observations of contemporary Western culture, Volf concludes that ‘experiential satisfaction’, whatever the source, is the common understanding of flourishing.¹¹⁰

¹⁰⁴ See ‘Public Truth: How can we know what is ‘good’?’ in, Laurence, *Good*, 49-71.

¹⁰⁵ J. Rivers, ‘Three Principles for Christian Citizens’, *Cambridge Papers: The Jubilee Centre*, Vol. 18, No. 1, March 2009, 2. See also J. Rivers, ‘Government’, J. Ashcroft and M. Schluter (eds.), *Jubilee Manifesto: A Framework, Agenda and Strategy for Christian Social Reform*, Leicester: IVP, 2005, 138-153.

¹⁰⁶ Nick Spencer presents the biblical case for the public nature of Christianity, the ‘Christian imperative to public proclamation, public assembly, public action and, if necessary, public confrontation’ (N. Spencer, *Neither Private nor Privileged: The Role of Christianity in Britain Today*, London: Theos, 2008, 84). However, the political witness of the church in the public square, he argues, depends on the ‘moral orientation’ of the state and the extent to which the state is persuaded by what the ‘moral orientation’ of Christianity will contribute to the public good (75).

¹⁰⁷ J. Porter, *Moral Action and Christian Ethics*, Cambridge: CUP, 1995, 85.

¹⁰⁸ See G.H. Stassen, ‘Common Good’, J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 151-152. Within Catholic social teaching, the Magisterial Texts recognise three essential features of the common good: respect for the human person, social well-being and development of all, the security and stability of society (Pontifical Council for Justice and Peace, *The Social Agenda of the Catholic Church: A Collection of Magisterial Texts*, Rev. R.A. Sirico and Rev. Marceij Zieba O.P (eds.), London: Burns and Oates, 2000, 82, 83).

¹⁰⁹ Volf, *Public*, 63.

¹¹⁰ Volf, *Public*, 57. This is, for J.P. Moreland, a ‘paradigm shift’ evidenced in our culture, a new understanding of human flourishing which has contributed to the ‘thin’ world we now inhabit in the West (J.P. Moreland, *Kingdom Triangle*, Grand Rapids: Zondervan, 2007, 94).

However, if an experience does not have an infinite meaning, he suggests, we remain unsatisfied: ‘We feel melancholy because our pleasure is truly human only if it is meaningful beyond itself’.¹¹¹

Volf presents the love of God and love of neighbour as central to a Christian understanding of human flourishing.¹¹² Such is the truth claim of Christianity, which gives meaning and definition to being human and to loving: ‘The overarching perspectives on life, with their metaphysical and moral claims to truth, are what give concrete content to what we think “love” or “being human” means’.¹¹³ It is with this distinctive ‘religious voice’, he suggests, that we speak in the public square,¹¹⁴ recognising though that religious voices can together create a climate in which ‘the love of pleasure, a dominant driving force on our culture, gives way to the pleasure of love’.¹¹⁵

1.4.2 The Place of Moral Philosophy in SRE Discourse

In offering a critique of the current moral framework that informs SRE policy in a ‘religious voice’ and presenting a normative alternative grounded in a Christian vision of human flourishing, I must proceed on the second assumption: that current moral discourse around this policy issue, as, indeed, with any other issue of public policy, is open to such a critique. Framed within the liberal democratic policy process, should it not be safe to assume that every expressed view is shown the same degree of tolerance in that it undergoes the same level of intellectual and moral scrutiny?¹¹⁶ If, as I shall argue, a morally neutral public position is an impossibility, engaging in political discourse will involve grappling with and seeking resolution to difficult moral

¹¹¹ He applies his understanding of ‘Unsatisfying Satisfaction’ to sex: ‘No matter how enticing and thrilling it may be, it leaves an aftertaste of dissatisfaction- maybe guilt, but certainly emptiness—if it does not somehow refer beyond itself, if it is not a sacrament of love between human beings’ (62).

¹¹² This relational insight as a Christian vision for the public outworking of faith is not unique to Volf. For an example of a detailed exploration of a relational framework and its practical outworking within a biblical paradigm for social reform, see *Jubilee Manifesto: A Framework, Agenda and Strategy for Christian Social Reform*, J. Ashcroft and M. Schluter eds., Leicester: IVP, 2005.

¹¹³ Volf, *Public*, 135.

¹¹⁴ Volf, *Public*, 130.

¹¹⁵ Volf, *Public*, 145.

¹¹⁶ Indeed, Rowan Williams suggests that it is because of Europe’s Christian heritage that we can enjoy and affirm ‘truly constructive pluralism’ (R. Williams, *Faith in the Public Square*, London: Bloomsbury, 2012, 84). However, Don Carson warns against a new intolerance operating amongst the cultural elite in the West, directed against Christians and Christianity, which regards raising objections to what is judged to be the moral ‘norm’ as intolerant: ‘In other words, the primary “moral” line drawn through Western culture declares that those who “tolerate” just about anything are good, and those who do not are bad and therefore should not be tolerated’ (D. Carson, *The Intolerance of Tolerance*, Nottingham: IVP, 2012, 134).

questions, questions that inevitably raise different understandings of the nature of reality and human flourishing. For moral questions and propositions are not just the preserve of religious discourse. As Oliver O'Donovan points out, while it may be possible for a humanist to understand the nature of reality in 'natural' rather than 'supernatural' terms, it is not possible for them to leave unanswered the question, 'What is the chief and highest end of man?'¹¹⁷

It is worth noting that J.S. Mill's vision of a liberal state, in particular his view on the limits of the state's legislative authority, did not correspond with a view that society itself should not actively engage in expressing opinions and judgement on the other's good.¹¹⁸ Mill pointed to a freedom that should exist within liberal society to address the apparent 'folly' or 'depravation of taste' of the other without the need for, or threat of, any legal sanction.¹¹⁹ According to Mill's vision of liberalism, as Alan Ryan suggests, the only thing that is unacceptable is coercion: 'We may cajole, entreat, exhort and otherwise try to persuade another person to act as we propose, and this does not reduce their liberty; it is coercion and coercion alone that we may not engage in'.¹²⁰

In a pluralistic context, sources of morality are inevitably disputed and, as such, Carr suggests that an account of morality grounded in anything other than social agreement 'is for most citizens of contemporary secular-liberal societies almost beyond comprehension'.¹²¹ However, the assumption that a 'religious voice' is any less rational or any less constructive than the other voices in this process, and might therefore be more readily dismissed, is contestable.¹²² As Nick Spencer notes: 'All public engagement is, in a sense, faith-based engagement in as far as it is premised on conceptions of the good that are not necessarily shared or provable'.¹²³ He continues: 'If we are to hope to reach any resolution or, less ambitiously, some satisfactory *modus vivendi* in our politics, we all need to be prepared, as it were, to show our moral

¹¹⁷ O. O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics* (2nd ed.), Leicester: Apollos, 1994, 38.

¹¹⁸ R. Crisp, *Mill on Utilitarianism*, London: Routledge, 1997, 187.

¹¹⁹ J.S. Mill, 'On Liberty', A. Ryan (ed.), *On Liberty and The Subjection of Women*, London: Penguin Books, 2006 [1859], 1-129, 77.

¹²⁰ A. Ryan, 'Introduction', A. Ryan (ed.), *John Stuart Mill: On Liberty and The Subjection of Women*, London: Penguin Books, 2006, ix-xxviii, xxviii.

¹²¹ D. Carr, *Making Sense of Education: An Introduction to the Philosophy and Theory of Education and Teaching*, London: RoutledgeFalmer, 2003, 72.

¹²² See a discussion on the inadequacy of so-called 'justificatory liberalism', i.e. where coercive laws require justification on public, not religious grounds, as reflected in Audi's equilibrium, in C.J. Eberle, *Religious Conviction in Liberal Politics*, Cambridge: CUP, 2002.

¹²³ N. Spencer, *Freedom and Order: History, Politics and the English Bible*, London: Hodder and Stoughton, 2011, 298.

workings'.¹²⁴ It is in the spirit of engagement that the authors and signatories of *An Evangelical Manifesto* call for a 'civil' public square as opposed to a 'sacred' or 'naked' one.¹²⁵

Nigel Biggar suggests that a reasonable theological contribution to public discourse will 'not invoke divine commandments without taking care to explain these in terms of their service of human flourishing and the goods that comprise it'.¹²⁶ This involves, he asserts, articulating an argument 'all the way from the top to the bottom, all the way from theological premise through moral principle to the careful analysis of cases'.¹²⁷ At the very least, civic life is strengthened, suggests acclaimed political philosopher Michael Sandel, when moral engagement allows the expression of differing moral and religious convictions: 'A politics of moral engagement is not only a more inspiring ideal than a politics of avoidance. It is also a more promising basis for a just society'.¹²⁸ Proceeding on such an assumption, however, directly challenges two important and influential positions in contemporary policy discourse on education: first, the expressed view that religion, outside of the R.E. classroom, has nothing constructive to contribute to the moral framework of education policy; secondly, the inference within SRE policy circles that engaging in moral discourse around the meaning and purpose of the subject is no longer a necessary precondition of policy formation.

In response to the first misconceived position, I shall echo the case presented by Trevor Cooling, who argues that theological insight and education are not incompatible within a secular educational context and, indeed, that religious beliefs, rather than being viewed within education as an unwelcome problem, should be seen as a 'potential resource that contributes social capital through promoting the common good'.¹²⁹ In so doing, he

¹²⁴ Spencer, *Freedom*, 298. See also J. Rivers, 'Public Reason', *Whitefield Briefing*, Vol.9, No.1, May 2004, (<http://klice.co.uk/uploads/whitfield/Vol%209.1%20Rivers.pdf>; accessed 22.02.14).

¹²⁵ 'In contrast to these extremes, our commitment is to a civil public square - a vision of public life in which citizens of all faiths are free to enter and engage the public square on the basis of their faith, but within a framework of what is agreed to be just and free for other faiths too' (Evangelical Manifesto Steering Committee, *An Evangelical Manifesto: A Declaration of Evangelical Identity and Public Commitment*, 2008, (http://www.anevangelicalmanifesto.com/docs/Evangelical_Manifesto.pdf; accessed 22.02.14)).

¹²⁶ N. Biggar, 'Saving the "Secular": The Public Vocation of Moral Theology', *Journal of Religious Ethics*, Vol.37, No.1, 2009, 159-178, 167.

¹²⁷ Biggar, 'Saving', 172.

¹²⁸ M.J. Sandel, *Justice: What's the Right Thing to do?* London: Penguin Books, 2010, 269.

¹²⁹ T. Cooling, *Doing God in Education: Theos Report*, London: Theos, 2010, 58, (<http://www.theosthinktank.co.uk/files/files/Reports/DoingGodinEducation.pdf>; accessed 08.12.13). See T. Cooling, *A Christian Vision for State Education*, London: SPCK, 1994, for a presentation of Cooling's approach to integrating theology and education. See also J. Arthur, L. Gearon and A. Sears, *Education, Politics and Religion: Reconciling the Civil and the Sacred in Education*, London: Routledge, 2010, for

draws the important distinction between a secular and a secularist society: while the first welcomes the contribution made by religions in contributing towards a community framework of values, the second seeks to eradicate religious influence from the public square.¹³⁰ In effect, he argues for a ‘transformationalist strategy’ within education, which seeks to expound Christian belief within, and not apart from, a secular, pluralistic context, in a spirit of genuine partnership and in way that ‘honours both the needs of the context *and* our beliefs’.¹³¹ In doing so, he states: ‘The theological rationale for the position that I have been putting forward is usually expressed in terms of “natural law”, “common grace”, or “the way of wisdom”’.¹³²

In pursuing the common good, David Hollenbach reiterates the case that a respect for diversity does not inevitably result in the abandonment of shared goods. Instead, a vision of the common good in a pluralistic society presents the challenge of reaching ‘an understanding of the goods that we can and must pursue together even though we do not agree about what is good in every aspect of life’.¹³³ This inevitably involves the adoption of some concepts and the rejection of others, which may appear to compromise the guarantee of individual rights and liberties. However, in exploring the relation between community and rights, John Finnis notes:

The pursuit of any form of human community in which human rights are protected by the imposition of duties will necessarily involve both selection of some and rejection of other conceptions of the common good, and considerable restrictions on the activities of everyone.¹³⁴

There will inevitably be controversial issues on which it is not possible to achieve a unanimously agreed policy position, yet value judgments must still be made. For example, a significant value judgement within the 1987 Circular (No 11/87) on ‘Sex Education at School’ was the expressed objection to any acceptance or promotion of homosexual behaviour: ‘There is no place in any school in any circumstances for teaching which advocates homosexual behaviour, which presents it as the “norm”, or which encourages homosexual experimentation by pupils’.¹³⁵ Yet the Circular

an exploration of the secularising agenda and a defence of the role and value of religion in education and the public square.

¹³⁰ Cooling, *Christian*, 69. For a brief discussion on the sacred/secular divide in education, see S. Fischer, Y. Hotam and P. Wexler, ‘Beyond the Secular/Sacred Divide: State, Liberalism, and Education in a Postsecular Age’, *Comparative Education Review*, February 2011, 122-124.

¹³¹ Cooling, *Christian*, 153.

¹³² Cooling, *Christian*, 161.

¹³³ D. Hollenbach, S.J., *The Common Good and Christian Ethics*, Cambridge: CUP, 2002, 68.

¹³⁴ J. Finnis, ‘Rights and Equality of Concern and Respect’, G. Dworkin (ed.), *Morality, Harm, and the Law*, Oxford: Westview Press, 1994, 43-45, 44, 45.

¹³⁵ Department of Education and Science, *Sex Education at School: Circular No 11/87*, London: HMSO, 1987, 197.

recognised that schools cannot avoid tackling controversial issues, and, therefore, should be prepared to give balanced and factual information, taking into account their own ethical and religious contexts. Similarly, in light of the introduction of the Marriage (Same Sex Couples) Act 2013, the Equality and Human Rights Commission note: ‘No school, or individual teacher, is under a duty to support, promote or endorse marriage of same sex couples. Teaching should be based on facts and should enable pupils to develop an understanding of how the law applies to different relationships’.¹³⁶

Recognising the inevitability of different value judgements dependent on different visions of human nature and flourishing, I will critique in particular the default position within policy discourse of liberal ‘neutrality’. In addition, in critiquing the current vision of moral education and formation evident within policy discourse, I will make a case for the moral reconstruction of SRE policy, presenting a Christian vision shaped by a theological virtue ethic. I affirm Porter’s definition of a virtue as ‘a trait of character or intellect that is in some way praise-worthy, admirable or desirable’.¹³⁷ As Stassen and Gushee suggest, nurturing such qualities of character is not only beneficial for the individual but for the community: ‘*Virtues are defined as qualities of a person that make that person a good person in community, and that contribute to the good of the community, or to the good that humans are designed for*’.¹³⁸

In presenting a theological defence for the outworking of a theological virtue ethic in the public square, I shall highlight the ‘common grace’ approach developed in the work of public theologian Abraham Kuyper, who recognised that, while the church has a responsibility to maintain its own distinct character, it also has a responsibility towards the society in which it exists.¹³⁹ Richard Mouw suggests that discussions around the idea of common grace present an ‘important resource for addressing the contemporary issues

¹³⁶ Equality and Human Rights Commission, *The Marriage (Same Sex Couples) Act 2013: The Equality and Human Rights Implications for the Provision of School Education*, 24th March 2014, (http://www.equalityhumanrights.com/sites/default/files/publication_pdf/GD.13.103-4%20Schools%2024-03-14.pdf; accessed 29.09.14).

¹³⁷ J. Porter, ‘Virtue Ethics’, R. Gill (ed.), *The Cambridge Companion to Christian Ethics* (2nd ed.), Cambridge: CUP, 2012, 87-102, 87.

¹³⁸ Gushee and Stassen, *Kingdom*, 32 (in italics in original text).

¹³⁹ ‘Therefore its goal must remain (1) to assure the church full freedom of action and full authority to maintain its own unique character; (2) to avert any attempt to introduce pagan concepts and ideas into the country’s laws, public institutions, and public opinion in place of Christian ones; and (3) to continually expand the dominance of nobler and purer ideas in civil society by the courageous action of its members in every area of life’ (A. Kuyper, ‘Common Grace’, J.D. Bratt (ed.), *Abraham Kuyper: A Centennial Reader*, Cumbria: Paternoster, 1998, 165-201, 197. Extract from Volume I (217-24) of Kuyper’s three volume *De Gemeene Gratie*, Amsterdam: Hōveker & Wormster, published in 1902, 1903, 1904). See Chapter 5.4.2 for a fuller discussion on Kuyper’s public theology.

of commonness and difference'.¹⁴⁰ Indeed, when it comes to education, pursuing a 'common morality', as Hill points out, 'owes a great deal to the Christian legacy'.¹⁴¹ However, while pursuing a common morality, I will at the same time assert that moral consensus should not and, indeed, cannot be achieved within public policy discourse at the expense of rigorous debate over the validity of the philosophical commitments on the table. For when it comes to reasoning in a democracy, Roger Trigg asserts, 'rationality should above all be concerned with what is true'.¹⁴² This should be done in a spirit of persuasion rather than coercion. As such, discourse within education policy discourse should nurture respectful tolerance for the diversity of worldviews represented, fostering a 'deliberative' model of democracy, concerned with justice and the common good.¹⁴³ In seeking to pursue a shared vision, concerns over teenage sexual behaviour and relationships and the emerging social problems may indeed prove to be another issue that tolerance alone cannot handle.¹⁴⁴

This approach directly challenges the second inference within SRE discourse concerning the redundant place of moral discourse in SRE policy, as exemplified by Rachel Thomson, who argues that consensus around a moral framework for sex education is achieved by moving the discussion away from the 'abstract territory' of moral and religious philosophy and into consideration of the realities of young people's lives.¹⁴⁵ She suggests that we should simply face the future with optimism and trust that young people will emerge from this world of constant moral innovation unscathed: 'To

¹⁴⁰ R. Mouw, *He Shines in All That's Fair: Culture and Common Grace*, Grand Rapids: Eerdmans, 2001, 8.

¹⁴¹ Hill, *That*, 11.

¹⁴² R. Trigg, *Religion in Public Life: Must Faith be Privatized?*, Oxford: OUP, 2007, 36.

¹⁴³ See N. Wolterstorff, 'Abraham's Kuyper's Model of a Democratic Polity for Societies with a Religiously Diverse Citizenry', C. van der Kooi and J. de Bruijn (eds.), *Kuyper Reconsidered: Aspects of His Life and Work*, Amsterdam: VU Uitgeverij, 1999, 190-205; A.M. Harmon, 'Common Grace and Pagan Virtue: Is Kuyperian Tolerance Possible?', J. Bowlin (ed.), *The Kuyper Center Review. Volume Two: Revelation and Common Grace*, Grand Rapids: Eerdmans, 2011, 302-314; M. DeMoor, 'Legitimacy, Public Justice, and Deliberative Democracy', J. Bowlin (ed.), *The Kuyper Center Review. Volume Four: Calvinism and Democracy*, Grand Rapids: Eerdmans, 2014, 104-133.

¹⁴⁴ Hollenbach, *Common*, 17.

¹⁴⁵ R. Thomson, 'Diversity, Values and Social Change: Regenerating a Consensus on Sex Education', *Journal of Moral Education*, Vol. 26, No. 3, 1997, 257-271, 267. Rachel Thomson chaired the Sex Education Forum (SEF) from 1989-1995. As such, she was involved in the instigation of efforts to reach moral consensus amongst SEF members on a moral framework for SRE (see 3.4).

The SEF, a highly influential policy advisory body comprising of over 90 members and 750 practitioners from health, education, children's charities, parenting organisations and religious communities, was established in 1987 under the umbrella of the National Children's Bureau and describes itself as the 'national authority' on SRE (Sex Education Forum, <http://www.ncb.org.uk/sef/about-us>; accessed 18.09.12). Terence McLaughlin highlights the importance of recognising such influential bodies and organisations when speaking of the nature of education policy making (T.H. McLaughlin, 'Philosophy and Educational Policy: Possibilities, Tensions and Tasks', W. Carr (ed.), *The RoutledgeFalmer Reader in Philosophy of Education*, Abingdon: Routledge, 2005, 17-33, 17).

turn our faces from the past to the future will require an admission of uncertainty and the expression of trust'.¹⁴⁶ This includes, suggests the sexual rights campaigner, Peter Tatchell, entrusting young people with the full range of information on sex and relationships: 'Most will respond to such candour by making sensible, responsible decisions. Those who do not would be reckless anyway, regardless of what they were taught or not taught'.¹⁴⁷

It is at least apparent that on matters of sexuality, a religious voice, in particular a Christian voice, is expressly devalued by some. A.C. Grayling, for example, suggests that our confusion and pre-occupation with sex is on account of the 'absurdly inflated' position that sex occupies on society's moral landscape,¹⁴⁸ and this, for him, is evidence of the prevalence in our cultural make-up of ancient law and customs, particularly associated with Christianity, with 'prohibitions, anxieties and what amounts to social rationing' exaggerating its importance.¹⁴⁹ In a post-religious civilisation, Richard Dawkins envisions constructing a 'consensual ethic' to reflect the 'Moral Zeitgeist', a list of possible new Ten Commandments.¹⁵⁰ His hope of doing so rests on the assumption that 'any ordinary, decent person' would come up with a similar list.¹⁵¹ Concerning sexual behaviour, Dawkins would choose the following 'Commandment', conceding though that there is no perceived moral obligation or necessity for others to share his view: 'Enjoy your own sex life (so long as it damages nobody else) and leave others to enjoy theirs in private whatever their inclinations, which are none of your business'.¹⁵² According to the contemporary 'Moral Zeitgeist', self-reflection, self-realization and individual choice is the moral order of the day.

In effect, moral judgement is not being abandoned; moral engagement concerning a common morality around sexual behaviour is simply being subverted in favour of a 'neutral' discourse which seeks to promote rational, autonomous decision-making. In

¹⁴⁶ Thomson, 'Diversity', 268.

¹⁴⁷ P. Tatchell, 'The ABC of Sexual Health and Happiness', *Teenage Sex: What Should Schools Teach Children?*, London: Hodder and Stoughton, 2002, 63-79, 70.

¹⁴⁸ A.C. Grayling, *The Future of Moral Values*, London: Phoenix, 1997, 23.

¹⁴⁹ Grayling, *Future*, 23. Nevertheless, he acknowledges the 'dramatic challenges' that have emerged as a result of 'sex-related dilemmas', pointing to teenage sex and pregnancy as one such challenge, and recognises that, 'despite the increased openness which has permitted objective research into human sexuality, there is still no widely accepted theory about it upon which personal decision or public policy-making can rely' (26).

¹⁵⁰ R. Dawkins, *The God Delusion*, London: Transworld, 2006, 298.

¹⁵¹ Dawkins, *God*, 298.

¹⁵² Dawkins, *God*, 300.

light of this, and in a similar tone to Thomson, Simon Blake¹⁵³ and Gill Frances¹⁵⁴ suggest that if we regard SRE as an ‘educational entitlement, not a social engineering initiative’, then our responsibility and obligation is to ensure that we provide this entitlement and, by doing so, take a ‘leap of faith’ in believing that young people will be enabled to make informed decisions according to their own moral code.¹⁵⁵ The only prerequisite to programme effectiveness, they suggest, is that they are able to enjoy their experience, while taking responsibility for themselves and their partner.¹⁵⁶

In considering why a morally neutral discourse within sex education policy might be viewed as preferable, Halstead and Reiss suggest two possible reasons: first, ‘the diversity that exists in contemporary society makes a consensus on values impossible, especially in a controversial domain like sexuality’; secondly, ‘anything that gets in the way of the “safer-sex” message (such as moral guidance or advice) should be discarded as more of hindrance than a help’.¹⁵⁷ However, as I shall evidence in Chapter 3, achieving moral neutrality in practice is an impossibility, and attempting it is itself an expressed philosophical approach to moral education. For while seeking to move beyond philosophical discourse in the formulation of SRE policy may prove attractive in that it seemingly avoids conflict in decision making,¹⁵⁸ abandoning the philosophical roots of different approaches to SRE is not only to judge each one to be as morally tenable as the other, which itself is a philosophical commitment, but is to undermine the necessity of having a reason or defence for your policy position in the first place. As Carr points out, ‘it is one thing to know quite well (in our bones) what is morally right, and another to understand why or how it is right’.¹⁵⁹

¹⁵³ Simon Blake, CEO of Brook, ‘the UK’s leading provider of sexual health services and advice for young people under 25’ (<http://www.brook.org.uk/index.php/more/about-us>; accessed 15.08.14), also chaired the SEF from 1999-2002. In indicating, perhaps, a reticence to engage in moral discourse, he confidently entitled a recent blog post ‘SRE is not and should not be controversial’ (<http://simonatbrookcharity.blogspot.co.uk/2014/06/sre-must-not-be-controversial-or-overly.html>; accessed 15.08.14).

¹⁵⁴ Gill Frances, a former Director of the SEF, has a long-standing involvement in policy agendas concerned, in particular, with young people’s sexual health (<http://teenagepregnancyassociates.co.uk/about-us>; accessed 15.08.14).

¹⁵⁵ S. Blake and G. Frances, *Just Say No! to Abstinence Education: Lessons learnt from a Sex Education Study Tour to the United States*, London: National Children’s Bureau, 2001, 44.

¹⁵⁶ Blake and Frances, *Just*, 44.

¹⁵⁷ Halstead and Reiss, *Values*, 8.

¹⁵⁸ As McLaughlin points out, even where philosophical discourse achieves clarity and vision within education policy, it may still ‘illuminate complexities, sharpen dilemmas, undermine grounds for practical compromise and encourage further discussion and argument rather than decision’ (McLaughlin, ‘Philosophy’, 26).

¹⁵⁹ Carr, *Making*, 74.

Moreover, seeking to move beyond the ‘abstract territory’ of philosophy in policy making not only abandons the constructive and necessary task of philosophical inquiry, it also denies, as Terence McLaughlin rightly observes, the philosophical presuppositions that are already implicitly embedded in education policy: ‘Many educational policies contain (to a greater or lesser extent) assumptions, concepts, beliefs, values and commitments which, if not themselves of a directly philosophical kind, are apt for philosophical attention’.¹⁶⁰ As such, when it comes to moral education, David Carr and Jan Steutel note that different conceptual approaches are ‘nothing if not philosophical’, for they implicitly and explicitly express different normative assumptions and commitments.¹⁶¹ This is true not only of moral education per se but, as I shall explore, evident in the normative framework of health education.¹⁶² Therefore, while it is beyond the remit of this thesis to offer a detailed exploration of the history of philosophical thought on education,¹⁶³ I will identify and critique the normative principles that are shaping the moral framework of SRE.

1.5 Conclusion: Re-Engaging in Moral Philosophical Discourse

In exploring, in particular, the important role of moral philosophy in moral education, John Elias offers a strong defence:

Moral philosophy is valuable in making educators aware that programs of moral education must be founded on some theory of justification or criteria of right or wrong. Unless such a theory is present in the system, what takes place is not education but either a form of conditioning, training or indoctrination or a mindless relativism.¹⁶⁴

Even for those who advocate a rights-based approach to SRE,¹⁶⁵ such philosophical judgements cannot be avoided. In addition, while recognising that philosophy occupies a

¹⁶⁰ McLaughlin, ‘Philosophy’, 19.

¹⁶¹ D. Carr and J. Steutel, ‘Virtue Ethics and the Virtue Approach to Moral Education’, D. Carr and J. Steutel (eds.), *Virtue Ethics and Moral Education*, London: Routledge, 1999, 3-18, 3.

¹⁶² See, for example, D. Aspin and G. Williams, ‘The Philosophy of Health Education Related to Schools’, J. Cowley, D. David and T. Williams (eds.), *Health Education in Schools*, London: Harper and Row, 1981, 38-55.

¹⁶³ It is noted that the philosophy of education flourished as a discipline in the twentieth century, receiving particular focus after 1950 (E. Callan and J. White, ‘Liberalism and Communitarianism’, N. Blake, P. Smeyers, R. Smith and P. Standish (eds.), *The Blackwell Guide to the Philosophy of Education*, Oxford: Blackwell, 2003, 95-109, 95). For a detailed account of the analytic tradition and significant contributions to the philosophy of education see the formidable four-volumes of P.H. Hirst and P. White, *The Philosophy of Education: Major Themes in the Analytic Tradition*, London: Routledge, 1998. However, this should not overlook the long-standing tradition of thought and reflection within Western culture over the aims and practices of education.

¹⁶⁴ J.L.E. Elias, *Moral Education. Secular and Religious*, Malabar: Robert E. Krieger, 1989, 62.

¹⁶⁵ See Ingham and Stone, ‘Young’, 194, for a brief account of the rights-based approaches. While the SEF campaign for statutory SRE centres on a rights-based approach (‘Sex and Relationships Education: It’s my Right’ (<http://www.sexeducationforum.org.uk/policy-campaigns/sre-its-my-right.aspx>; accessed 15.08.14)), it should be noted that while *The Human Rights Act 1998* promotes the right to education, as

necessary and inevitable place within education policy formulation, McLaughlin also points to the importance of the philosophical and educational judgments being of a practical nature.¹⁶⁶ In describing morality as an educational institution, Amélie Oksenberg Rorty highlights the fact that practical morality is ‘designed to produce certain types of persons, with specific virtues, mentalities, habits and skills directed to affect the world in a certain way’.¹⁶⁷

Therefore, when it comes to exploring the nature, role and outworking of values in the moral framework of SRE, Halstead and Reiss rightly observe that disagreement over the aims and practices of sex education emerges when values come into conflict with one another.¹⁶⁸ Dismissing any suggestion of neutrality, they affirm that ‘values permeate every aspect of sex education’.¹⁶⁹ This is in and of itself inevitable for, as they point out, ‘sex education must in some way be educational, and education is an inescapably value-laden activity’.¹⁷⁰ There can be little disagreement over the biological facts of sex instruction, which in themselves are ‘value-neutral’. As Jean Collyer suggests, these are the easiest aspect of any sex education programme to learn.¹⁷¹ However, it is in the presentation of the facts that an implicit moral framework emerges, presenting a particular vision of the moral self and human flourishing. Thus, it is possible to observe the emergence of explicit and implicit value judgements from the outset of SRE policy.¹⁷²

In light of this, what the expressed philosophical commitment of Blake and Frances, as demonstrated in their views on programme effectiveness, highlights is both a predisposed moral position on teenage sexuality and a determined value judgement on the desired nature, aim and value of SRE. In addition, their expressed views are wrongly dismissive of the inevitable reality that every educational enterprise is an initiative in

does Article 28 of the UN Convention on the Rights of the Child (http://www.unicef.org.uk/Documents/Publication-pdfs/UNCRC_summary.pdf; accessed 15.08.14), this does not warrant the right to learn ‘whatever you want, whenever you want’ (Equality and Human Rights Commission, 9th June 2009, (<http://www.equalityhumanrights.com/your-rights/human-rights/what-are-human-rights%3Fthe-human-rights-act/right-to-education>; accessed 05.06.14)).

¹⁶⁶ McLaughlin, ‘Philosophy’, 29.

¹⁶⁷ A.O. Rorty, ‘Morality as an Educational Institution’, J.M. Halstead and T.H. McLaughlin (eds.), *Education in Morality*, London: Routledge, 1999, 7-22, 8.

¹⁶⁸ Halstead and Reiss, *Values*, 16.

¹⁶⁹ Halstead and Reiss, *Values*, 3. Halstead and Reiss define ‘values’ as follows: ‘Values are *principles and fundamental convictions which act as general guides to behaviour; enduring beliefs about what is worthwhile; ideals for which one strives; broad standards by which particular beliefs and actions are judged to be good, right, desirable or worthy of respect*’ (5).

¹⁷⁰ Halstead and Reiss, *Values*, 7.

¹⁷¹ J. Collyer, *Sex Education in Primary Schools: A Guide to Policy Development in Primary Schools*, London: Forbes Publications, 1995, 29.

¹⁷² See 2.1.

social engineering as it encourages or discourages certain choices or behaviours. As educational philosopher John Wilson states: ‘Our private metaphysics and emotional prejudices remain private only so long as we are private citizens; once we take on the role of the educators, they come out into the open’.¹⁷³ This is true for the individual educator, as it is true for the state; the state, arguably, does not, and cannot, remain morally neutral. One of the earliest critics of political liberalism, James Fitzjames Stephen, affirmed this to be the case:

How is it possible for society to accept the position of an educator unless it has moral principles on which to educate? How, having accepted that position and having educated people up to a certain point, can it draw a line at which education ends and perfect moral indifference begins?¹⁷⁴

As such, Valerie Riches points out that ‘school sex education is intended, for good or ill, to influence attitudes and behaviour’.¹⁷⁵ Faced with the diversity of moral values that are vying for attention within SRE policy discourse, it would appear at least consistent with democratic aspirations to echo Haydon’s sentiment that engaging in philosophical discourse can lay the groundwork for ‘more reasonable and informed discussion’ on these values, giving public legitimacy to the process of moral inquiry.¹⁷⁶ This involves, he suggests, a positive approach to the richness and diversity within the ethical environment.¹⁷⁷ At the very least, therefore, actively engaging in philosophical discourse within SRE policy formation will, in particular, explore and articulate the nature, aims and value of SRE and enable adequate scrutiny of the different philosophical propositions and moral visions presented.

In conclusion, therefore, despite Government assertions that a strong moral framework is in place for SRE,¹⁷⁸ this thesis presents a theo-ethical case for why we currently have an incoherent and inadequate public vision within which to shape SRE policy. First, it

¹⁷³ J. Wilson, *Logic and Sexual Morality*, Harmondsworth: Penguin Books, 1965, 99.

¹⁷⁴ J. Fitzjames Stephen, *Liberty, Equality, Fraternity*, R.J. White (ed.), Cambridge: CUP, 1967 [1873], 157.

¹⁷⁵ V. Riches, ‘Shortcomings of Present-Day Practice in School Sex Education’, S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: Islamic Academy, 1998, 35-52, 36.

¹⁷⁶ G. Haydon, *Education and the Crisis in Values: Should we be Philosophical about it? – The London File – Papers from the Institute of Education*, London: Tufnell Press, 1993, 17. See A. Oancea, ‘Philosophy of Education’, J. Arthur and A. Peterson (eds.), *The Routledge Companion to Education*, Abingdon: Routledge, 2012, 66-74, for further discussion on the scope and purpose of philosophising for education.

¹⁷⁷ G. Haydon, ‘Values Education: Sustaining the Ethical Environment’, *Journal of Moral Education*, Vol. 33, No.2, June 2004, 115-129.

¹⁷⁸ In recommending the current Government guidance on SRE, the Department of Health’s Sexual Health Improvement Framework states: ‘The guidance ensures that pupils develop positive values and a strong moral framework that will guide their decisions, judgement and behaviour’ (Department of Health, *A Framework for Sexual Health Improvement in England*, March 2013, 13, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/142592/9287-2900714-TSO-SexualHealthPolicyNW_ACCESSIBLE.pdf ; accessed 12.09.13)).

shapes a moral discourse which is overtly focussed on promoting individual autonomy through the maximisation of information and rational enquiry, presenting a flawed anthropological understanding of the moral agent. I shall echo Smith's pedagogical belief that 'education is not primarily a heady project concerned with providing information; rather, education is most fundamentally a matter of formation, a task of shaping and creating a certain kind of people'.¹⁷⁹ He continues: 'What makes them a distinctive kind of people is what they love or desire-what they envision as "the good life" or the ideal picture of human flourishing'.¹⁸⁰ Similarly, when it comes to education, in particular, character education, Terence McLaughlin and Mark Halstead state:

An education in character and virtue is concerned with the formation and shaping of persons in a wide wide-ranging way, and is based on the realisation that what is important in education (and specifically moral education) is the sort of person one is or becomes, and not merely the nature of the thinking one engages in.¹⁸¹

As they point out, 'such an education gives rise to matters both of complexity and controversiality'.¹⁸² Indeed, neglecting the concept of virtue more widely in moral theory, suggests Hauerwas, is due a 'tacit fear that we lack the kind of community necessary to sustain development of people of virtue and character'.¹⁸³ A plurality of worldviews and the uncertainty over the philosophical foundations of a virtue ethics present unresolved issues for moral education.¹⁸⁴ However, without a shared vision of the common good, a rationalist account of SRE presents an incoherent and inadequate vision of moral education.

Secondly, as I will explore in more detail in Chapter 4, the ontological basis of our current liberal metanarrative on sex and the ethical theories engaged therein provide a flawed foundation on which to build a robust public sexual ethic. The worldview perspective that we will critique, in particular, is that of naturalism. Of course, it should be noted that naturalism is not the only worldview commitment evident in contemporary discourse on SRE. However, it is within a naturalist worldview perspective that moral principles are reduced to human constructs, the ontological position which shapes the heart of this critique. For, while many of the values expressed within humanist ideas may still reflect Christian ideals,¹⁸⁵ and indeed carry through into

¹⁷⁹ Smith, *Desiring*, 26.

¹⁸⁰ Smith, *Desiring*, 26.

¹⁸¹ J.M. Halstead and T.H. McLaughlin, 'Education in Character and Virtue', in *Education in Morality*, J.M. Halstead and T.H. McLaughlin (eds.), London: Routledge, 1999, 132-163, 134.

¹⁸² Halstead and McLaughlin, 'Education', 134.

¹⁸³ Hauerwas, *Community*, 117.

¹⁸⁴ Haydon, 'Moral', 326, 327.

¹⁸⁵ Sire, *Universe*, 76.

SRE discourse, the epistemological problem arises in trying to derive moral knowledge from observations of nature and the material world, which inevitably leads us down a road of ethical nihilism.¹⁸⁶ As such, I will ultimately engage with what Robin Barrow identifies as a debate of ‘fundamental importance’ within the philosophy of education: that which concerns moral truth and knowledge. This involves seeking for the truth by dismissing beliefs which appear to be unfounded.¹⁸⁷ Arguing for the place for, and the necessity of, that debate will be the ongoing focus of this thesis.

¹⁸⁶ In his Chapter on ‘Worldviews and Sex’, Hollinger identifies both ‘Humanism’ and ‘Naturalism’ as two distinct worldviews (Hollinger, *Meaning*, 43), whereas Sire denotes secular humanism is an example of ‘naturalism in practice’ (Sire, *Universe*, 85). However, while secular humanists are naturalists, not all naturalists are secular humanists (Sire, *Universe*, 86).

¹⁸⁷ R. Barrow, ‘Schools of Thought in Philosophy of Education’, *The SAGE Handbook of Philosophy of Education*, R. Bailey, R. Barrow, D. Carr and C. McCarthy (eds.), London: SAGE, 2010, 21-35. Barrow notes the challenge of categorising ideas within education into neatly defined schools of thought or associating them with individual philosophers, suggesting instead a focus on ‘concepts, programmes, policies and practices themselves’ (Barrow, ‘Schools’, 34). See also ‘The Postmodern Challenge’ in R. Barrow and R. Woods, *An Introduction to Philosophy of Education* (4th ed.), London: Routledge, 2006, 109-114. However, this should not overlook the fact that every educational idea is understood differently depending on the moral tradition or worldview in which it is presented. See D. Carr, ‘Understanding Educational Theory: Reflections on the Work of Robin Barrow and John Darling’, J. Gingell (ed.), *Education and the Common Good: Essays in Honor of Robin Barrow*, Abingdon: Routledge, 2014, 50-63, for a defence of distinctive schools of educational thought.

Chapter 2

The Moral and Spiritual in SRE Policy Discourse: A Case for Reconstruction

2.1 Introduction: A Shifting Moral Landscape

It is important to recognise that the aim of SRE has not always been narrowed to the pursuit of rational autonomy and self-authenticated choice. It is possible to evidence, through policy development and surrounding discourse, a shift away from an identified common morality and an approach to SRE discourse that explicitly engaged in the ‘abstract territory’ of moral and religious thought and a corresponding vision of human flourishing. Thus, in this chapter, in charting the moral and spiritual discourse that has emerged in policy discourse, I will more precisely locate my critique against this backdrop. In addition, in offering a brief literature review of the scholarly voices concerned with the current moral and spiritual content of SRE policy and practice, I will locate a liberal approach amongst the other identified philosophical positions. In highlighting the inadequacy of a liberal approach in policy making, in particular, within education, I will begin to present a case for the moral reconstruction of SRE discourse, setting out my method for doing so.

Early commentators on sex education acknowledged sex as something to be revered and ‘most holy in the plan of life’, and thus children should be educated accordingly.¹⁸⁸ The essential purpose and meaning of sex was understood within a particular view of human nature and an understanding of the public good, requiring a specific public morality to be taught:

That we should leave our children to pick up their sexual information haphazard seems almost incredible. Can we allow them to learn about the most powerful, the most sacred, the most profound and vital of human functions from the gutter?¹⁸⁹

While adopting a clear moral and spiritual position, it was at the same time recognised that society fell into the trap of adopting extreme views on the meaning and purpose of sex:

If, a hundred years ago, the pendulum swung towards repression, punishment and taboo, it has now swung violently in the opposite direction – towards enjoyment and freedom and pleasure and unrestraint, none of which lead to happiness or contentment.¹⁹⁰

¹⁸⁸ C.G. Hartley, *Sex Education and National Health*, London: Leonard Parsons, 1920, 39.

¹⁸⁹ Hartley, *Sex*, 20.

¹⁹⁰ E.F. Griffith, ‘The Road to Maturity’, E.F.Griffith (ed.), *The Road to Maturity*, London: Methuen & Co., 1947, 13-33, 17.

Educationalists argued that no sex education should be given unless it was related to emotional and spiritual well-being: 'To develop man's intellectual abilities at the expense of the spiritual or the emotional is as misguided as to develop the emotions at the expense of the intellect'.¹⁹¹ This understanding of sex education led to a distinction between 'sex instruction' and 'sex education', where the former is concerned solely with facts and science and the later with whole life learning and values.¹⁹²

These moral aims were evident in the content of earliest policy documents. The Education Pamphlet of 1943, *Sex Education in Schools and Youth Organisations: Education Pamphlet No. 119*, the first official document from the Board of Education on the subject, stated that the purpose of information and advice within sex education was to ensure that young people 'are not left in dangerous ignorance', nor left to 'acquire knowledge in ways which are likely to distort or degrade their outlook upon sex, and their sense of responsibility in regard to it'.¹⁹³ In addition, the task of delivering wise instruction to young people was identified from the outset of sex education policy to be the corporate responsibility of 'all who enjoy the confidence of young people'.¹⁹⁴ Information was to be presented within a moral framework that attached a specific understanding to the nature of sex. The inference for sex education was that, beyond the physiological instruction, advice was to be:

directed to the understanding and control of sexual impulse and emotion, leading on to the establishment of mutual understanding and respect between the sexes, and, as young manhood and womanhood is approached, to an adequate preparation for marriage.¹⁹⁵

These moral directives within policy were further reiterated by the Ministry for Education in the Newsom Report: 'For our part we are agreed that boys and girls should be offered firm guidance on sexual morality based on chastity before marriage and fidelity within it'.¹⁹⁶ Young people's sexual behaviour was to be instructed towards a certain end, in particular, recognising and upholding the social institution of marriage. In addition, the nature of sex was regarded as being intimately connected to one's spiritual self: 'Sex activity, whilst embracing our emotions and physical being, our instincts and our minds, can only fulfil its rightful purpose if its activity is acceptable to our spiritual

¹⁹¹ Griffith, 'Road', 15.

¹⁹² E.F. Griffith, 'Towards Maturity', E.F., Griffith (ed.), *The Road to Maturity*, London: Methuen & Co., 1947, 200-227, 224.

¹⁹³ Board of Education, *Sex Education in Schools and Youth Organisations: Education Pamphlet No. 119*, London: HMSO, 1943, 4.

¹⁹⁴ Board of Education, *Sex*, 4.

¹⁹⁵ Board of Education, *Sex*, 4.

¹⁹⁶ Ministry of Education, *Half our Future: A Report of the Central Advisory Council for Education (England)*, London: HMSO, 1963, 54.

nature'.¹⁹⁷ Accordingly, in approaching health education, the Department of Education and Science focussed on much more than simply the prevention of disease or the reduction of harm:

Our task is rather to make sure that bodily health plays its proper part in the whole education of responsible citizens. To discharge it successfully we need a clear understanding of the nature of our civilisation and its principles. We must also have regard for realities which go beyond the merely physical. Our roots lie deep in the Christian background of our civilisation and the things of the spirit cannot be passed over.¹⁹⁸

Evidencing a teleological approach to a public sexual ethic, schools had direction in terms of the norms and behaviours they were directing young people towards, and not just the ones they were instructing them against. It was acknowledged from the outset that the challenge for educators would be to 'make such self-control and discrimination seem rational and inspiring'.¹⁹⁹

Advice to schools in approaching the issue was clear; while parents were affirmed as the primary educators, questions arising within school from young children concerning the body and development were to be wisely and sensitively dealt with. At the same time, adolescents were to be prepared for future life in community, another recognised end of sex education:

In learning to live a full life as an adult the adolescent must understand something of both personal development and social responsibility. It is the capacity for reconciling personal interests with social demands that leads to stability in relationships, to the appreciation of the other person's point of view and to the sacrifice of one's own interests, if need be, in the interests of the community.²⁰⁰

Further policy guidance on health education made it clear that schools could no longer avoid their responsibilities in the area of sex education, particularly in view the demands of a rapidly changing culture and the nature of the information being 'thrust' at children from outside of school.²⁰¹ While not everyone agrees with the judgement that the so-called 'sexual revolution' instigated a dramatic shift in sexual behaviour, deeming it a revolution of openness rather than behaviour,²⁰² the challenge of equipping

¹⁹⁷ Griffith, 'Towards', 224.

¹⁹⁸ Department of Education and Science, *A Handbook of Health Education*, London: HMSO, 1968, vi.

¹⁹⁹ Board of Education, *Sex*, 5.

²⁰⁰ Department of Education and Science, *Handbook*, 99.

²⁰¹ Department of Education and Science, *Health Education in Schools*, London: HMSO, 1977, 112.

²⁰² I. Rubin, 'A Balanced View of the 'Sexual Revolution'', I. Rubin and L.A. Kirkendall (eds.), *Sex in the Adolescent Years: New Directions in Guiding and Teaching Youth*, New York: Association Press, 1968, 19-32, 28.

young people to make choices within this newly constituted sexual landscape had nevertheless emerged.²⁰³

In addition to moral concerns, there were clear health implications that were driving policy objectives. Reiss points in particular to the HIV and AIDS epidemic in the late 1980s as reigniting the fear around the impact of sexual behaviour on the health of the nation. As HIV and AIDS were emerging as a public health concern, he notes, sex education was becoming a 'political football'.²⁰⁴ According to Thomson, changes in the legal status of sex education, and fundamental reforms surrounding its content and provision in the 1980s, were 'driven by a clear moral and political agenda', demonstrating once again the vulnerability of sex education to the social and political climate.²⁰⁵ As a result of this politicization, it was increasingly acknowledged that 'a value-less sex education programme cannot exist'.²⁰⁶

Sex education first appeared on the statute books in England and Wales in Section 46 of the Education (No 2) Act 1986, making clear that where sex education was given, it was to be 'given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life'.²⁰⁷ However, when compared to earlier documents, it is evident that the moral language had softened; rather than being given 'firm guidance', the pupils were instead to be encouraged to have 'due regard' for moral considerations. Thus, it could be argued that from the outset of government legislation, it was unclear to what degree moral instruction was a matter of public concern, and to what extent there was an acknowledgement of the underlying moral direction of legislative and policy content. As Douglas Adeney explores, it is important to identify the liberal principles that govern policies concerning sexual behaviour: 'While our policies may be subject of various contingencies.....what grounds could *prima facie* justify the prohibition or restriction of any given sexual behaviour?'²⁰⁸

²⁰³ I. Rubin, 'What Real Sex Education Means', I. Rubin and L.A. Kirkendall (eds.), *Sex in the Adolescent Years: New Directions in Guiding and Teaching Youth*, New York: Association Press, 1968, 13-19, 18.

²⁰⁴ M.J. Reiss, 'The History of School Sex Education', S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: Islamic Academy, 1998, 5-18, 10.

²⁰⁵ Thomson, 'Diversity', 261.

²⁰⁶ Reiss, 'History', 10.

²⁰⁷ Department for Education, *Education (No. 2) Act 1986*, (http://www.legislation.gov.uk/ukpga/1986/61/pdfs/ukpga_19860061_en.pdf, accessed 02.05.12).

²⁰⁸ D. Adeney, 'Liberalism', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 598-606, 598, 599. This question is central to my discussion throughout, and will be explored in particular in Chapter 4.

The following year, the Department of Education and Science published guidance for Local Education Authorities in *Sex Education at School: Circular No 11/87*, setting out in more detail the moral issues that required consideration. Young people were encouraged to adopt an objective and balanced approach to the diversity of attitudes and values in society. Alongside an understanding of the physical aspects of sexual behaviour, they were to be ‘encouraged to consider the importance of self-restraint, dignity and respect for themselves and others and helped to recognise the physical, emotional and moral risks of casual and promiscuous sexual behaviour’.²⁰⁹ Recognising the responsibility that both sexes have for sexual matters, an appreciation of the benefits of ‘stable married and family life and the responsibilities of parenthood’ was to be fostered.²¹⁰

Similar moral ideals and values were carried through in the *Sex and Relationship Education Guidance*, published by the Department for Education and Employment (DfEE) in 2000. The guidance was produced for Head Teachers, Teachers and School Governors, taking into account the revised National Curriculum published in September 1999, the newly established Personal, Social, Health and Economic Education (PSHE) framework,²¹¹ and the 1999 Social Exclusion Report on teenage pregnancy. The objective of SRE was clearly stated:

The objective of sex and relationship education is to help and support young people through their physical, emotional and moral development. A successful programme, firmly embedded in PSHE, will help young people learn to respect themselves and others and move with confidence from childhood through adolescence into adulthood.²¹²

According to the guidance, the three main elements of SRE are concerned with attitudes and values, personal and social skills and knowledge and understanding. Concerning attitudes and values, the following priorities were listed:

learning the importance of values and individual conscience and moral considerations; learning the value of family life, marriage, and stable and loving relationships for the nurture of children; learning the value of respect, love and care; exploring, considering and understanding moral dilemmas; and developing critical thinking as part of decision-making.²¹³

²⁰⁹ Department of Education and Science, *Sex*, 197.

²¹⁰ Department of Education and Science, *Sex*, 197.

²¹¹ As Graham Haydon points out, although PSHE became part of the National Curriculum of England in 2000, this was not accompanied by a prescriptive statutory programme, and, therefore, its content was simply subject to guidance. This has led to an on-going debate as to whether a statutory programme is required, in particular, to ensure that subjects like sex education become compulsory in the curriculum (G. Haydon, ‘Personal and Social Education’, R. Bailey, R. Barrow, D. Carr and C. McCarthy (eds.), *The SAGE Handbook of Philosophy of Education*, London: SAGE, 2010, 503-515, 504).

²¹² Department for Education and Employment, *Sex and Relationship Education Guidance DfEE 0116/2000*, London: DfEE, 2000, 3.

²¹³ DfEE, *Sex*, 5.

It is important to note for my own discussion that the *SRE Guidance 2000*, including the incorporated attitudes and values, is not just deemed relevant within a school context, but its importance and relevance is also emphasised within current policy guidance on Sexual Health Improvement, including an adapted wording of the above attitudes and values, where teaching ‘ensures that pupils are taught about the benefits of loving, healthy relationships and delaying sex, and also provides that pupils are aware of how to access confidential sexual health advice and support’.²¹⁴

Echoing a number of points that run to the heart of my own critique, the moral and spiritual content of the *SRE Guidance 2000*, which remains the most recent policy guidance has, from the outset, raised voices of concern. For example, Adrian Thatcher notes that the guidance fails to recognise spiritual and moral development as a learning outcome of SRE set within the framework of PSHE.²¹⁵ This would appear to be indicative of an on-going, widespread concern about the neglect of the spiritual in education.²¹⁶ In addition, along with a number of apparent ‘contradictions and silences’, Thatcher highlights what he calls the ‘empty generalizations’ of many terms within the document, for example, ‘moral framework’,²¹⁷ terms which he believes remain abstract concepts without content. A further example of the perceived moral deficiency of the document, he argues, is its failure to give a moral reason, over and above prudential ones, why ‘delaying sexual activity’ might be a good thing.²¹⁸ Such a judgment, however, presupposes that a moral reason is required. For, as Carr points out, there are various reasons that may or may not be given for engaging in or abstaining from a particular activity; alongside prudential and moral reasons he notes the possibility of aesthetic and religious ones.²¹⁹ If, however, as Halstead and Reiss suggest, a characteristic of a sexually educated young person is someone who acquires certain

²¹⁴ DoH, *Framework*, 13.

²¹⁵ A. Thatcher, ‘Sex Education ‘after Modernity’’, *International Journal of Children’s Spirituality*, Vol. 6, No. 2, 2001, 233-241, 234.

²¹⁶ RSA Action and Research Centre, *Schools with Soul: A New Approach to Spiritual, Moral, Social and Cultural Education*, March 2014, (<http://www.thersa.org/action-research-centre/learning,-cognition-and-creativity/education/reports-and-events/reports/schools-with-soul>; accessed 20.06.14).

²¹⁷ The guidance states that SRE should help young people ‘develop positive values and a moral framework that will guide their decisions, judgements and behaviour’ (DfEE, *Sex*, 20).

²¹⁸ Thatcher, ‘Sex’, 235.

²¹⁹ D. Carr, ‘Between the Rock and the Hard Place: The Contemporary Dilemma of Sex Education’, S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: The Islamic Academy, 1998, 168-185, 168. See also D. Carr, ‘Abstinence’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 7-14.

skills, e.g. the skill of responsible decision-making, then such skills are inherently relational and ‘firmly grounded’, they argue, in moral values.²²⁰

It is at least apparent from young people’s current experience of SRE that it is the moral and spiritual content and guidance that they currently judge as inadequate. Indeed, the *SRE Guidance 2000* acknowledged that young people often complain that there is a ‘lack of any meaningful discussion about feelings, relationships and values’.²²¹ In a survey carried out by the Sex Education Forum (SEF) in 2008, results revealed that school-based SRE most frequently covered topics concerning puberty, and the biology of sex and reproduction. The topic least frequently taught concerned skills for coping with relationships. As one young person commented: ‘I understand the science side pretty well but it seems a bit like a pencil – I know it’s made from wood and soft graphite that gets broken off, but does that tell me how to write?’²²² In addition, Brook, the UK’s largest young people’s sexual health charity, published similar findings in October 2011. In a study on SRE carried out amongst 2000 14-18 year olds, only 6% reported receiving information in lessons that they felt they needed on relationships.²²³

PSHE is expected to ‘equip pupils with a sound understanding of risk and with the knowledge and skills necessary to make safe and informed decisions’.²²⁴ However, the Ofsted Report on PSHE in English school in 2012 suggested that inadequacy in SRE in secondary schools was on account of the fact that ‘too much emphasis was placed on “the mechanics” of reproduction and too little on relationships, sexuality, the influence of pornography on students’ understanding of healthy sexual relationships, dealing with emotions and staying safe’.²²⁵ The Department of Education Consultation on PSHE in 2013 re-iterated the importance of relationships education:

²²⁰ Halstead and Reiss, *Values*, 7, 8.

²²¹ DfEE, *Sex*, 11.

²²² Sex Education Forum, ‘Key Findings: Young People’s Survey on Sex and Relationships Education’, 2008, (http://www.ncb.org.uk/media/333301/young_peoples_survey_on_sex_relationships_education.pdf; accessed 05.09.12).

²²³ Brook, ‘UK Sex and Relationships Education fails to Prepare Young People for Modern Day Life’, 2011, (http://www.brook.org.uk/professionals/application/brookpr/index.php?option=com_brookpr&view=article&id=91&Itemid=640; accessed 05.09.12).

²²⁴ Department for Education, *Guidance: Personal, Social, Health, and Economic Education*, September 2013, (<https://www.gov.uk/government/publications/personal-social-health-and-economic-education-pshe/personal-social-health-and-economic-pshe-education#personal-social-health-and-economic-education>; accessed 07.07.14).

²²⁵ Ofsted, *Not Yet Good Enough: Personal, Social, Health and Economic Education in Schools*, Manchester: Ofsted, 2013, 6. It is interesting to note the judgment, however, that in primary schools *too much* emphasis is put on friendships and relationships and not enough on puberty (6).

It was suggested that pupils were being taught about the mechanics of sex without an understanding of relationship management, and that the latter was vital to ensure children and young people appreciated and respected themselves and their peers.²²⁶

Evidence would suggest that the current moral framework is not providing young people with the moral guidance that they judge to be necessary in helping them navigate their relationships and the moral complexity of the current cultural environment, if indeed, this were a reasonable ask of any school-based subject. In exploring whether a 'spiritual' dimension to sex education is a necessary component, McLaughlin argues that a programme that fails to give sufficient attention to the ethical and moral values inherent in sexual attitudes, beliefs, feelings and behaviour, would be 'at best incomplete and at worst miseducative'.²²⁷ Having due regard for a spiritual dimension within sex education will involve, he suggests, giving attention to the following: first, an exploration of the overall framework that gives meaning and purpose to sexuality; secondly, the cultivation of interior reflection with regards to sexual matters; thirdly, the 'manifestations' of the spiritual life when it comes to sexuality, e.g. self-control, love, and other virtues; fourthly, the promotion of awe and wonder in response to the natural and human world.²²⁸ He points to the fact that often these aspects of spirituality are linked to a religious tradition ('religiously tethered'), but not always ('religiously untethered').²²⁹ In engaging with a theological virtue ethic, I will, in particular, give attention to the third dimension concerned with the 'manifestations' of the spiritual life, affirming the view that just as there is no neutral position on morality, there is no neutral position on spirituality.²³⁰

2.2 Emerging Philosophical Positions on SRE

Those engaged in the philosophical discourse surrounding the development of SRE have sought to develop categories and frameworks within which to understand the nature and scope of the subject and its moral aims. For example, Halstead identifies three key value

²²⁶ Department for Education, *Consultation on PSHE: Summary Report*, March 2013, (<http://media.education.gov.uk/assets/files/pdf/p/pshe%20cons%20report.pdf>; accessed 20.06.14)

²²⁷ T.H. McLaughlin, 'A Spiritual Dimension to Sex Education?', *International Journal of Children's Spirituality*, Vol. 6, No. 2, 2001, 223-232, 224.

²²⁸ McLaughlin, 'Spiritual', 227.

²²⁹ McLaughlin, 'Spiritual', 225. See, for example, J. Jacobs, 'Spirituality and Virtue', D. Carr and J. Haldane (eds.), *Spirituality, Philosophy and Education*, London: RoutledgeFalmer, 2003, 55-66, and the case for an understanding of spirituality and virtue on non-religious, naturalist grounds. In contrast, Reiss suggests that while the connections between spirituality and sexuality are 'many and rich', he would hesitate in recommending that schools should teach about the interrelationship between the two (M.J. Reiss, 'Loves that Have a Quiet Voice', *International Journal of Children's Spirituality*, Vol. 6, No. 2, 2001, 243-245).

²³⁰ See A. Marfleet, 'Inspecting Spiritual Development', *Whitefield Briefing*, Vol. 6, No. 5, November 2001.

debates within sex education: ‘(1) the liberal values of a “responsible sexual behaviour” approach versus the conservative values of the “pro-abstinence” approach; (2) health-based values versus education-based values; and (3) determinate cultural or religious values versus personal freedom and choice’.²³¹ While the categories offer a helpful breakdown, it is at least clear that they are not in themselves self-contained. For example, religious values are often associated with the ‘pro-abstinence’ approach, but this does not dismiss within programme content the encouragement of responsible sexual behaviour nor a recognition and respect for the dignity and freedom of the young person to choose their own course of action. Halstead further points to the outworking of six groups of values – socio-economic values, health-related values, values related to liberal education, children’s values, cultural values and religious values.²³² In view of the diversity and complexity of the values at stake, Reiss observes that when it comes to the aims of sex education, the objectives are rarely analysed in any great detail. Instead, he claims, the notion of sex education in schools has simply been widened and thus the aims increased.²³³

According to Reiss, principled positions on school-based sex education are often classified simply according to the ‘conservative/liberal’ or ‘religious/secular’ divide,²³⁴ again, this is to simplify what is often a more complex and interchangeable picture. He expands on these categories, identifying five mutually inclusive philosophical frameworks for sex education: ‘school sex education should not occur’; ‘school sex education should promote physical health’; ‘school sex education should promote personal autonomy’; ‘school sex education should promote responsible sexual behaviour’; ‘school sex education should take place within a religious framework’.²³⁵

The interchangeability and limits of these philosophical positions can be seen in the three reasons which Archard points out have been offered for why we should teach sex in school. The third reason he gives is for ‘evaluative reasons’; young people should be enabled to ‘make their own fully informed and reasoned choices in sexual matters, to

²³¹ J.M. Halstead, ‘Values and Sex Education in a Multicultural Society’, S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: The Islamic Academy, 1998, 232-259, 235.

²³² Halstead, ‘Values’, 247.

²³³ M.J. Reiss, ‘What are the Aims of School Sex Education?’, *Cambridge Journal of Education*, Vol. 23, No. 2, 1993, 125-136, 125.

²³⁴ Reiss, ‘History’, 11.

²³⁵ Reiss, ‘Conflicting’, 554-558. According to Reiss, ‘a framework is identified as philosophical if it attempts to address in a sustained and coherent way questions of meaning and justification relating to its presuppositions and recommendations’ (M.J. Reiss, ‘Conflicting Philosophies of School Sex Education’, R. Curren (ed.), *Philosophy of Education: An Anthology*, Oxford: Blackwell, 2007, 553-560, 554).

understand the proper place of sex in their lives'.²³⁶ This accords with Reiss's third philosophical framework concerned with promoting the personal autonomy of the young person. The second reason given for teaching sex in schools is for 'social reasons', with the aim of reducing the numbers of unwanted pregnancies and cases of Sexually Transmitted Infections (STIs).²³⁷ This, as we shall see, is a significant motivating factor behind sex education in Britain today and corresponds with the justifying principles of promoting physical health and responsible sexual behaviour. Finally, it is proposed that we should teach sex firstly for 'prudential reasons' in order that young people are free from guilt or embarrassment and enjoy pleasurable sexual experiences.²³⁸ Reiss points out that in teaching sex for this purpose, a necessary distinction would need to be made with the concept of modesty, and adopting this approach may, in effect, appear to condone certain behaviour.²³⁹ However, while justification for this reason cannot be found in the promotion of physical health, nor is it related directly to the promotion of autonomy or responsible sexual behaviour, as we shall note, what the recommendation exposes is an underlying worldview commitment about the fundamental nature of sexuality that doesn't fit neatly into Reiss's five philosophical categories. Perhaps it most easily accords with a religious framework, due its explicit belief around the meaning and purpose of sexual activity. Indeed, Archard recognises the challenge of finding agreement on the form that sex education should take, and notes the inexhaustive categories of "liberal" and "religious" to denote the existing divisions in sexual morality.²⁴⁰

Recent attempts at categorising philosophical discourses within sex education have been much more expansive. For example, in conducting a detailed literature review, Tiffany Jones identifies 27 possible discourses that could be used to categorise approaches to sex education, highlighting the fact that different approaches to sex education 'reflect differing underlying premises, views of human nature and assumptions about pedagogical processes'.²⁴¹ In particular, she notes that policies are mostly informed by one of two constructs of the child: 'the "romantic child" whose innocence must be protected, or the "knowing child" whose innocence is not tainted by the information

²³⁶ Archard, 'How', 437.

²³⁷ Archard, 'How', 437.

²³⁸ Archard, 'How', 437.

²³⁹ Reiss, 'What', 129.

²⁴⁰ D. Archard, 'Sex Education', R. Curren (ed.), *A Companion to the Philosophy of Education*, Oxford: Blackwell, 2003, 540-547, 541.

²⁴¹ T.M. Jones, 'Saving Rhetorical Children: Sexuality Education Discourses from Conservative to Post-Modern', *Sex Education*, Vol. 11, No. 4, November 2011, 369-387, 371.

seen as necessary for development'.²⁴² As an outcome of her deliberations, she presents a 'sexuality education discourse exemplar' to aid in this process of policy analysis, categorizing the 'orientation' of sex education approaches into the following four categories: 'conservative, liberal, critical or postmodern'.²⁴³

What Jones' detailed exemplar at least demonstrates for us is that even identifying and clarifying the various discourses is complex and therefore the ability to meet the demands of every underlying premise or pedagogical approach presents a significant challenge for SRE policy. As McLaughlin points out, in forming a public sexual ethic, 'what is at stake are different fundamental evaluations of the meaning and purpose not only of sexuality in human life but of human life itself'.²⁴⁴ In light of this complexity, Ann Blair and Daniel Monk simplify the emerging tensions over sex education as primarily concerning 'conflicting images of childhood and sexuality'.²⁴⁵ They observe that the law plays a 'critical role' in translating these conflicts and concerns into practical programmes.²⁴⁶

2.2.1 Childhood and Sexuality

In identifying key philosophical positions that have shaped SRE norms and values in the UK and beyond, it would be short-sighted to overlook the formative impact of changing concepts of sexuality, emerging within the interwoven disciplines of sexology²⁴⁷ and psychology,²⁴⁸ which have been informed by, and shaped, philosophical discourse and an emerging moral narrative on sex.²⁴⁹ Indeed, the changing perceptions within the intellectual community around the concepts of childhood and sexuality, particularly evident at the turn of the twentieth century, have been credited with significantly

²⁴² Jones, 'Saving', 371.

²⁴³ Jones, 'Saving', 371.

²⁴⁴ McLaughlin, 'Spiritual', 229. Volf points to the inadequacy of a secular worldview for answering questions of meaning: 'As a person of faith, I think that a secular quest for the meaning of life is very likely to fail, and that the viable candidates for the meaning of life are all religiously based' (Volf, *Public*, 65).

²⁴⁵ A. Blair and D. Monk, 'Sex Education and the Law in England and Wales: The Importance of the Legal Narrative', R. Davidson and L.D.H. Sauerteig (eds.), *Shaping Sexual Knowledge: A Cultural History of Sex Education in Twentieth Century Europe*, London: Routledge, 2009, 37-51, 46.

²⁴⁶ Blair and Monk, 'Sex', 44.

²⁴⁷ "'Sexology'", the English-language term for the scientific study of sexual desire and behaviour' (J.M. Irvine, 'Sexology', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 1002-1009, 1002).

²⁴⁸ See D.B. Hill, 'Psychology, Twentieth – and Twenty-First Century', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 784-793).

²⁴⁹ I note throughout, and particularly in Chapter 4, scholars engaged in a burgeoning genre of philosophy concerned specifically with sex (A. Soble, 'Philosophy of Sex, Overview of', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 784-793).

impacting the ideology of sex education across Europe for decades to come, with Sigmund Freud,²⁵⁰ Havelock Ellis²⁵¹ and Albert Moll recognised as critical contributors to this new knowledge base.²⁵² Hollinger adds to this list Margaret Sanger, the founder of Planned Parenthood, and notes: ‘Each not only wanted to provide information for a society that was largely ignorant of sexuality, but wished to push the populace in new directions in sexual attitudes and behaviour, based on naturalistic assumptions’.²⁵³ In addition, the secular humanistic worldview of sexology rallied for an expansion in the boundaries of human sexuality, freed from the prohibitions and restrictions imposed by a transcendent law.²⁵⁴

This revolutionary understanding of child sexuality was defined largely by the psycho-analytic concept that a child’s sexual feelings are to be seen as an integral part of their overall development, with Freud’s theories of infantile sexuality playing a critical role in shaping these ideas.²⁵⁵ In addition, American psychologist, G. Stanley Hall, in his pioneering work on adolescent psychology, stated that the ‘development of the sex function is normally perhaps the greatest of all stimuli to mental growth’.²⁵⁶ Bertrand Russell, in his own philosophical musing, and writing at a time when it was illegal to share knowledge about sex with children, argued that allowing children to remain ignorant about sexual matters was both intellectually damaging and caused ‘very grave moral damage’.²⁵⁷ This was based on the assumption that parents lied to their children on sexual matters. However, as is evident in his writing, his views are in large part

²⁵⁰ See E. Pluth, ‘Freud, Sigmund’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 370-381.

²⁵¹ See E. Johnson, ‘Ellis, Havelock’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 261-267.

²⁵² R. Davidson and L.D.H. Sauerteig, ‘Shaping Sexual Knowledge of the Young: Introduction’, R. Davidson and L. D.H. Sauerteig (eds.), *Shaping Sexual Knowledge: A Cultural History of Sex Education in Twentieth Century Europe*, London: Routledge, 2009, 1-15, 2.

²⁵³ Hollinger, *Meaning*, 52.

²⁵⁴ See, for example, L. Kirkendall, *A New Bill of Sexual Rights and Responsibilities*, Buffalo: Prometheus Books, 1976.

²⁵⁵ Davidson and Sauerteig, ‘Shaping’, 2. Freud’s psycho-analytical conclusions on sexuality were as follows: ‘(a) Sexual life does not begin only at puberty, but starts with clear manifestations soon after birth. (b) It is necessary to distinguish sharply between the concepts of “sexual” and “genital”. The former is the wider concept and includes many activities that have nothing to do with genitals. (c) Sexual life comprises the function of obtaining pleasure from zones of the body-a function which is subsequently brought into the service of that of reproduction. The two functions often fail to coincide completely’ (S. Freud, *An Outline of Psycho-Analysis*, London: The Hogarth Press, 1949, 10, 11).

²⁵⁶ G.S. Hall, *Adolescence: Its Psychology and its Relations to Physiology, Anthropology, Sociology, Sex, Crime, Religion and Education, VOL II*, London: D. Appleton and Company, 1914, 108.

He went on, thus, to argue that it was one of the ‘cardinal sins against youth to repress healthy thoughts of sex at the proper age’ (Hall, *Adolescence*, 109).

²⁵⁷ B. Russell, *Marriage and Morals*, London: Routledge, 2009 [1929], 64.

shaped by the emerging presuppositions about childhood development and sexuality, in addition to a self-confessed ‘attempt to build up a new sexual morality’.²⁵⁸

As such, Roger Davidson and Lutz Sauerteig, in charting the history of sex education in Europe, highlight a shift in the moral overtone of discussions around sexual behaviour as an outcome of these intellectual endeavours: ‘Thus, what had formerly been perceived as a function of immorality and/or pathological behaviour, was, in the twentieth century, explained as phases in a child’s “normal” development’.²⁵⁹ This, as I shall evidence in Chapter 3, has significantly shaped an understanding of ‘healthy’ behaviour. Another marked outcome of this emerging psychology of child sexuality, they suggest, was an increased recognition of the expertise of the professional over the competence of the parents in addressing issues of sex education. In addition, they note that while the moral influence of the church in many countries across Europe in the late nineteenth century waned, the stature and moral influence of medical and educational experts grew.²⁶⁰

However, it should not be presumed that this emerging psychological discourse advocated a dismantling of moral boundaries. For example, Armand M. Nicholi, Jr. notes: ‘Freud believed in the freedom to *speak* about sex, not the freedom to *act*’.²⁶¹ He notes Freud’s assertion in *Civilization and Its Discontents*: ‘A cultural community is perfectly justified, psychologically, in starting by proscribing manifestations of the sexual life of children, for there would be no prospect of curbing the sexual lusts of adults if the ground had not been prepared for it in childhood’.²⁶² Indeed, he noted that ‘the principal task of civilization, its actual *raison d’être*, is to defend us against nature’.²⁶³ There remains within public discourse an uneasiness with what is noted to be the commercialisation and sexualisation of children,²⁶⁴ with political voices calling for a

²⁵⁸ Russell, *Marriage*, 58.

²⁵⁹ Davidson and Sauerteig, ‘Shaping’, 2. For an historical account of the development of sex education, see, in addition, L.A. Hall, ‘In Ignorance and in Knowledge: Reflections on the History of Sex Education in Britain’, R. Davidson and L.D.H. Sauerteig (eds.), *Shaping Sexual Knowledge: A Cultural History of Sex Education in Twentieth Century Europe*, London: Routledge, 2009, 19-36. Hall suggests that sex education has remained a neglected topic in the history of sexuality (Hall, ‘Ignorance’, 19). Reiss notes that it is unclear whether school-based sex education in the UK has, to date, undergone any detailed, scholarly examination (Reiss, ‘History’, 5).

²⁶⁰ Davidson and Sauerteig, ‘Shaping’, 7.

²⁶¹ A.M. Nicholi, Jr., *The Question of God: C.S. Lewis and Sigmund Freud debate God, Love, Sex, and the Meaning of Life*, New York: Free Press, 2002, 131.

²⁶² S. Freud, ‘Civilization and its Discontents’, *Civilization, Society and Religion: Group Psychology, Civilization and its Discontent and Other Works*, London: Penguin Books, 1985 [1930], 243-340, 294.

²⁶³ S. Freud, *The Future of an Illusion*, Seattle: Pacific Publishing Studio, 2010 [1927], 18.

²⁶⁴ As demonstrated in the commissioning and the findings of the sixth-month independent review led by Reg Bailey, Chief Executive of Mothers’ Union, *Letting Children be Children - Report of an Independent*

‘revolution in sex education’ in order to address a culture which is ‘increasingly pornified’.²⁶⁵ At the same time, concern is expressed at how ‘sexualisation’ is being understood and interpreted.²⁶⁶ Nevertheless, add to this the recent high-profile child abuse scandals, and calls for statutory SRE have only intensified.²⁶⁷

In accepting that the state has a protectionist role to play in the lives of children, resolving questions over the nature of the information needed by children can only be answered by appealing to a corresponding vision of the ‘good’ and human flourishing which will inevitably define the purpose, aims and objectives of SRE. Such a vision will be fundamentally shaped by an understanding of the meaning and purpose of human sexuality understood within a wider vision of personhood. I shall return to discuss the cultural moral narrative of sex in Chapter 4. However, in acknowledging the attempt to categorise different philosophical approaches to SRE, and identifying the challenges for policy, it is the principles evidenced in the overarching liberal metanarrative of SRE policy, and the limits of this approach, to which I must return, in particular, the understanding and implications of an ‘informed choice’ approach.

2.3 The Limits of the Liberal Metanarrative in Policy Making

As evidenced in the shift in the moral and spiritual content of policy and discourse, there has been a move away from a clear articulation and understanding of shared goods and a common morality in SRE to one which increasingly promotes a self-authenticated moral position, as exemplified in the Coalition government’s statement on SRE,²⁶⁸ and the current guidance for PSHE.²⁶⁹ As Alasdair MacIntyre notes, in his acclaimed philosophical critique of the ‘Enlightenment Project’: ‘Liberal political societies are characteristically committed to denying any place for a determinate conception of the human good in their public discourse, let alone allowing that their common life should

Review of the Commercialisation and Sexualisation of Childhood, June 2011, (<https://www.education.gov.uk/publications/eOrderingDownload/Bailey%20Review.pdf>; accessed 06.03.13).

²⁶⁵ BBC News Politics, ‘Diane Abbott: British Culture “increasingly pornified”’, 22nd January 2013, (<http://www.bbc.co.uk/news/uk-politics-21127073>; accessed 06.03.13).

²⁶⁶ F. Attwood and C. Smith, ‘Lamenting Sexualisation: Research, Rhetoric and the Story of Young People’s ‘Sexualization’ in the UK Home Office Review’, *Sex Education*, Vol. 11, No. 3, August 2011, 327-337.

²⁶⁷ Sex Education Forum, ‘Press Release: High time to guarantee that every child will learn how to recognise inappropriate sexual contact’, 2nd July 2014, (<http://www.sexeducationforum.org.uk/policy-campaigns/statement-on-savile-rolf-harris.aspx>; accessed 15.08.14).

²⁶⁸ See 1.3.1.

²⁶⁹ See 2.1.

be grounded in such a conception'.²⁷⁰ At the heart of what he judges to be the failure of liberalism is the disconnection between concepts of morality on the one hand and shared conceptions of human nature on the other.²⁷¹

In view of my theo-ethical critique, it is interesting to note that in his discussion on the shift in the authoritative source, content and purpose of moral education in America, Hunter highlights that an ambivalence from within faith communities was contrasted with a 'backlash' from the neoclassicalists and communitarians. In particular, he highlights that this came 'not in educational theory but in political rhetoric'.²⁷² As such, my critique of SRE policy will engage with and, indeed, echo many of the concerns expressed by political and educational philosophers who have developed, in particular, a communitarian critique of liberalism,²⁷³ and, in Chapter 5, those who have called for moral education to focus on character development and a virtuous account of moral behaviour.

It is certainly beyond the purpose and remit of this thesis to provide a detailed critique of liberalism or communitarianism *per se*, either within educational or political philosophy, or to critique in detail any particular advocate from either tradition, either self-confessed or popularly labelled. The purpose of engaging with the ideas of communitarianism is to critique the extent to which the ideals of liberal political and moral theory dominate SRE policy in England. In particular, in emphasising the social

²⁷⁰ A. MacIntyre, *After Virtue* (3rd ed.), London: Bloomsbury Academic, 2007, xii.

²⁷¹ MacIntyre, *After*, 52. While this discussion will prove sympathetic to his observations, I note the criticism of those who suggest that he espouses an oversimplified anti-liberal rhetoric. For example, Stout notes that, in reducing our understanding of liberal modernity to the social outworking of anti-traditional Enlightenment discourse, we are in danger of adopting too narrow an understanding of the diverse ethical traditions that inform ethical discourse in modern society (Stout, *Democracy*, 136).

²⁷² Hunter, *Death*, 107. See 5.3.1 for a more expansive discussion of Hunter's critique of moral education.

Halstead additionally points to other worldviews that do not share the basic values of liberalism and liberal education, for example, Marxism, radical feminism, postmodernism and various religious worldviews (Halstead, 'Liberal', 120).

²⁷³ Echoing the concern of Stephen Mulhall and Adam Swift in their exploration of the communitarian critique of liberalism, it cannot be overlooked that even the terms 'communitarian' and 'liberal' have multiple understandings and definitions (S. Mulhall and A. Swift, *Liberals & Communitarians* (2nd ed.), Oxford: Blackwell, 1996, xiii).

Mulhall and Swift identify five themes on which they discuss the communitarian critique of liberal political theory, in particular, as it is articulated in John Rawls *A Theory of Justice* – the conception of the person, asocial individualism, universalism, subjectivism or objectivism, anti-perfectionism and neutrality. I have already picked up on a number of these themes, and in observing the outworking of liberal values within SRE policy (see Chapter 3), I will identify to some extent with all of these themes within communitarian thinking and some of the key thinkers who expound them, for example, Michael Sandel, Alasdair MacIntyre, and Charles Taylor. However, in echoing the sentiments expressed in these themes, I do not presuppose that I share the same ontological foundations from which these thinkers have developed their ideas. Indeed, while recognising the 'worthwhile insights' that can be derived from a communitarian position, not least the re-affirmation of civil society, Charles Mathewes warns that communitarianism 'finally turns the ideal of community into an idol' (C. Mathewes, *A Theory of Public Life*, Cambridge: CUP, 2007, 173).

nature of morality and moral decision making, leading communitarian thinkers, such as Sandel, critique the inadequacy of a government's 'aspiration to neutrality' in policy decisions.²⁷⁴ Sandel highlights three moral principles which he suggests are effectively adopted when seeking to choose the 'just' policy approach: welfare, freedom and virtue.²⁷⁵ The first approach, he points out, seeks to apply the 'greatest happiness' principle which underlies a utilitarian moral philosophy, seeking to maximise welfare for the greatest number. The second approach argues that a just policy is one which supports a libertarian position, respecting freedom of choice and individual rights. The third approach, which he himself advocates, appeals to the cultivation of civic virtue and a shared understanding of the common good.²⁷⁶

In what would appear to echo Sandel's third approach, the theological ethicist, Richard Niebuhr, observes that the values which a society seeks to represent and realise at any one time are invariably divergent and varied. As a result, it is always engaged in holding together in 'tolerable conflict' any number of goods.²⁷⁷ This thesis, nevertheless, will challenge the view that government policy has successfully secured a satisfactory position of 'tolerable conflict'. Despite assertions to the contrary, it is clear that the moral aims and objectives of SRE are far from resolved within public discourse, with disagreement centred on what is appropriate moral content. For example, in light of her assessment of the moral aims of sex education in primary schools, Collyer suggests that a sexually educated adult is one who understands the matrix of important relationships, including family relationships, and lives according to identified moral codes, the roots of which are laid down in childhood.²⁷⁸ However, on matters of personal and social education, John White questions the necessity of talking about morality at all as he is doubtful as to whether young people will commit to an 'external' moral code, 'an alien set of rules, principles, precepts or duties', one that is detached from their desires which, he argues, gives reasons for action.²⁷⁹ Both of these perspectives point to a wider discussion of the meaning and purpose of moral education and moral enquiry:

²⁷⁴ Sandel, *Justice*, 246.

²⁷⁵ Hollinger, in *The Meaning of Sex*, points in a similar vein to what he identifies as the three main categories of ethics - 'consequentialist ethics, principle ethics, and character or virtue ethics' - and the application of these theories for making moral judgements on sex.

²⁷⁶ Sandel, *Justice*, 261.

²⁷⁷ Niebuhr, *Christ*, 38.

²⁷⁸ Collyer, *Sex*, 23.

²⁷⁹ J. White, 'The Aims of Personal and Social Education', P. White (ed.), *Personal and Social Education: Philosophical Perspectives*, London: Kogan Page, 1989, 7-18, 9. See Chapter 3 for an exploration of the dominant moral narrative in moral education.

Is morality a matter of conforming to certain externally imposed rules, or a matter of autonomous decision-making, learning how to apply moral principles to particular situations, or a matter of being a certain kind of person?²⁸⁰

Such questions probe at the political limits of individual autonomy and the role of community in shaping moral character. At the very least, Collyer points out that a sexually educated young person must understand and behave in line with the moral codes of their society.²⁸¹ In noting the socially constructed understanding of sexuality, Catherine Ingram Fogel suggests that religious and legal systems are the ‘two aspects of culture that attempt to control sexuality’.²⁸² Therefore, if we are to deliberate within liberal democracy on the nature of the good life, as Sandel suggests, and foster a vision of the common good, the inevitable result for SRE policy is that we make judgements which move us beyond a position of liberal neutrality to ask fundamental questions about the nature of and purpose of moral education, and the nature and meaning of sex and relationships, and how they correspond with human flourishing.

The aspirations of a communitarian agenda have particular implications for the foundations of education as outworked in theory, policy and practice. James Arthur notes that the communitarian agenda has not been thought through or articulated into a comprehensive theory of education, but points out the two distinct schools of thought emerging within this philosophical approach:

one which believes that communitarianism simply offers liberalism some assistance in reforming itself, and the other which believes that communitarianism is a distinctive philosophy or approach in itself.²⁸³

In seeking to strengthen the role of community and a vision of the common good with regards to young people and sexual behaviour, I shall echo what Arthur refers to as a ‘communitarian liberal position’, which ‘values both individual choice and action, but places it within the context of a rich and worthwhile common culture’.²⁸⁴ As such, a communitarian approach to education as a means of forging and nurturing this common culture is particularly outworked in character and citizenship education, seeking to

²⁸⁰ J.M. Halstead, ‘Moral and Citizenship Education’, R. Bailey, R. Barrow, D. Carr and C. McCarthy (eds.), *The SAGE Handbook of Philosophy of Education*, London: SAGE, 2010, 253-268, 256.

²⁸¹ Collyer, *Sex*, 11.

²⁸² C. Ingram Fogel and D. Lauver, *Sexual Health Promotion*, Philadelphia: W.B. Saunders, 1990, 3.

²⁸³ J. Arthur, ‘Communitarianism’, J. Arthur and A. Peterson (eds.), *The Routledge Companion to Education*, Abingdon: Routledge, 2012, 11-19, 17.

²⁸⁴ J. Arthur, *Schools and Community: The Communitarian Agenda in Education*, London: Falmer Press, 2000, 19. See J. Gray, *After Social Democracy: Politics, Capitalism and the Common Life*, London: Demos, 1996 for a more general discussion of a communitarian liberal perspective.

foster common civic values and build moral character.²⁸⁵ The common good in education is perceived to consist of two ‘essential’ and ‘inseparable’ aspects: ‘the development of the capacities and powers of unique and irreplaceable human beings and the development of cooperative, fraternal, and mutually helpful ways of associating’.²⁸⁶ My discussion, in engaging with a theological virtue ethic, will focus on the former.

2.3.1 Reconstructing the Moral Framework

In using the framework presented by Sandel to describe the liberal moral theories at work in contemporary political discourse, I shall critique in Chapter 3 the dominance of the ‘welfare’ principle as applied to public health and health education, and the ‘freedom of choice’ principle as applied to moral education. In identifying the values presented in policy discourse, I will evidence their dominance in the philosophical positions adopted in surrounding academic discourse within the fields. It is important to note that it is beyond the remit and purpose of this thesis to offer a detailed review of all philosophical positions evident within literature pertaining to health education and moral education, but the purpose of the engagement with key texts and contributors is to evidence and critique the liberal principles that are shaping the policy metanarrative for SRE, alongside the underlying norms on sex and relationships, both of which are evident in Archard’s philosophical approach.²⁸⁷

The dominance of the ‘harm’ principle, as evidenced within a public health response to teenage sexual behaviour, and in Archard’s reasoning for sex education, shall lead us to identify with Elizabeth Anscombe’s expressed concern that the ‘huge gap’ left by the failure of consequentialist thinking to offer a definitive appeal to a moral ought, ‘needs to be filled by an account of human nature, human action, the type of characteristic a virtue is, and above all of human “flourishing”’.²⁸⁸ Indeed, her call for a re-engagement with a virtue ethic in her paper ‘Modern Moral Philosophy’ is credited with re-igniting a contemporary turn towards positioning virtue ethics as a serious alternative to the ethical theories that have dominated the moral landscape, namely consequentialism and

²⁸⁵ However, caution is expressed in associating these educational fields too closely. See, for example, I. Davies, S. Gorard and N. McGuinn, ‘Citizenship Education and Character Education: Similarities and Contrasts’, *British Journal of Educational Studies*, Vol. 53, No. 3, September 2005, 341-358.

²⁸⁶ Arthur, *Schools*, 84.

²⁸⁷ See 1.3.

²⁸⁸ G.E.M. Anscombe, ‘Modern Moral Philosophy’, R. Crisp and M. Slote (eds.), *Virtue Ethics*, Oxford: OUP, 1997, 26-44, 43, 44.

deontology.²⁸⁹ In addition, in identifying the epistemological claims evident in moral education discourse, I will critique the popular position, also reflected in Archard's moral approach to sex education, that is predominantly disposed to maximising the amount of information young people receive in order that they can make rational, free, autonomous choices. As Sandel suggests, based on this Kantian liberalism, 'what matters above all is not the ends we chose but our capacity to choose them'.²⁹⁰

In critiquing the liberal metanarrative within education, it is important to note that this critique is not directed against the capacity or freedom of the young person to make autonomous decisions. As Carr states: 'Moral behaviour is hardly deserving of the name if it is not in some sense autonomous rather than heteronomous; principled rather than unprincipled'.²⁹¹ Indeed, the capacity to choose is regarded as a central goal of a Christian approach to education. Aside from all the other things that education might entail, Hill notes that 'if we have not equipped them with the tools of critical thought, and if we have not given them practice in making informed choices and accepting personal responsibility for them, then we will not have educated them'.²⁹²

Instead, this critique is directed against the perceived agnosticism that currently exists concerning the ends of young people's choices and the flawed presuppositions on which moral knowledge is founded. In particular, in responding to this atmosphere of agnosticism, Halstead and Reiss point to certain qualities of character that are highly valued in our society, and, indeed, attitudes and behaviours which are deemed unacceptable. In addition, they identify with the fact that many people believe children need help and moral guidance to make choices on their journey to maturity, particularly in the sexual domain.²⁹³ Therefore, in re-iterating the extent to which ethical and moral goals explicitly and implicitly shape and give value to sex education, McLaughlin notes:

Sex educators want their students not only to know and to understand but also to feel, to care and to act (or not act) in various ways. Thus the influence of sex education extends to the emotions, motives, dispositions, virtues and other personal qualities of students.²⁹⁴

Halstead and Reiss call for the development of a larger set of values, which they refer to as 'common values', offering a means through which satisfactory agreement can be

²⁸⁹ M. Slote, 'Virtue Ethics', H. LaFollette (ed.), *The Blackwell Guide to Ethical Theory*, Oxford: Blackwell, 2000, 325-347, 325.

²⁹⁰ M.J. Sandel, *Liberalism and the Limits of Justice*, Cambridge: CUP, 1982, 6.

²⁹¹ D. Carr, 'Character Education as the Cultivation of Virtue', L.P. Nucci and D. Narvaez (eds.), *Handbook of Moral and Character Education*, Abingdon: Routledge, 2008, 99-116, 100.

²⁹² Hill, *That*, 44.

²⁹³ Halstead and Reiss, *Values*, 25.

²⁹⁴ McLaughlin, 'Spiritual', 228.

reached: ‘A working framework of justifiable and defensible common values must be identified and articulated if effective programmes of sex education are to be produced in a multicultural society’.²⁹⁵ However, despite the opportunities to date for discussion and reflection on this wider set of ‘common values’, it is clear that dialogue has emerged largely out of, and thus, in support of a narrow liberal values framework. As such, McLaughlin suggests that, despite effort to reach consensus on values, there is a lack of consensus on the principles that should direct, in particular, the moral dimension of sex education.²⁹⁶

The challenge of reconstructing a moral framework for SRE which reflects Sandel’s appeal for civic virtue and a shared understanding of the common good should not be understated. Notwithstanding the myriad of challenges within the existing ‘master narrative’, McLaughlin identifies the crux of the difficulty in developing a shared approach to moral education in a pluralist society - its members do not share “‘thick” or substantial views of human good’.²⁹⁷ Instead, shaped by the principles of liberalism, consensus is sought over ‘basic or “public” values’.²⁹⁸ He suggests that such principles, including freedom of speech, justice and personal autonomy, are ‘thin’ because they ‘do not presuppose some particular metaphysical theory of the self, or of the nature of human destiny’.²⁹⁹ Consequentially, as Sandel points out, our deontological ethic constitutes that ‘while we may be thickly-constituted selves in private, we must be wholly unencumbered selves in public, and it is there that the primacy of justice prevails’.³⁰⁰

McLaughlin rightly recognises the challenges of moving beyond a ‘thin’ view of the good within a common school context to a more ‘holistic’ view of education which embraces the complexity of moral and spiritual development.³⁰¹ In a society where there is little moral consensus, Carr indicates that the conceptual and practical challenges in drawing up a necessary list of common values are ‘legion’.³⁰² As Charles Taylor

²⁹⁵ Halstead and Reiss, *Values*, 26.

²⁹⁶ T.H. McLaughlin, ‘Sex Education, Moral Controversy and the Common School’, S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: Islamic Academy, 1998, 186-224, 188.

²⁹⁷ T.H. McLaughlin, ‘Education of the Whole Child?’, D. Carr, M. Halstead and R. Pring (eds.), *Liberalism, Education and Schooling: Essays by T. H. McLaughlin*, Imprint Academic: Exeter, 2008, 48-59, 52.

²⁹⁸ McLaughlin, ‘Education’, 55.

²⁹⁹ McLaughlin, ‘Education’, 55.

³⁰⁰ Sandel, *Liberalism*, 182.

³⁰¹ McLaughlin, ‘Education’, 56.

³⁰² Carr, *Making*, 71.

observes, ‘the spiritual as such is no longer intrinsically related to society’.³⁰³ This, he suggests, is a consequence of unlimited pluralism and the pursuit of individual spiritual enlightenment. Nevertheless, based on the presumption that public education is at least to some extent concerned with the moral education of its citizens, and sex education is itself a moral-laden subject, I shall re-examine the current vision from the assumption that any re-examination is a worthwhile and necessary part of ensuring the robustness of the moral framework currently in place.

Additionally, beyond ethical theories of education policy, Reynold Jones points out that we lack a language in which to speak easily about sex in schools.³⁰⁴ From such a statement, however, we should not easily presuppose that it is possible to find a cultural language that is agreeable and accessible to all. In view of the plurality of worldviews in contemporary culture, it may be somewhat naïve to imagine that a single and unified language can be found to accommodate divergent understandings of the meaning and significance of human sexuality. While for Jones there might be nothing peculiar about sexual morality per se,³⁰⁵ for others sexual acts hold a particular significance.³⁰⁶ Faced with such moral diversity and complexity, what is nevertheless inevitable is that in reasoning together within public moral discourse about the meaning and purpose of SRE, we cannot avoid engaging in the broader moral consideration of our overriding public policy commitments concerning the meaning and purpose of human sexuality. For as Hollinger suggests: ‘It is in the meaning of sex that we find a framework by which we make sense of our sexuality as human beings’.³⁰⁷ In his theological account of the nature of human sexuality, Helmut Thielicke asserts that the biological is ‘given character by the personhood of the human being’.³⁰⁸ As such, meaning is apportioned to the totality of the person, not just their sexual functions, to the ‘thinking, feeling, and willing’ aspects of their personhood.³⁰⁹ As such, from a theologically informed position, SRE limited to mere biology paints an inadequate view of personhood and human sexuality.

³⁰³ C. Taylor, *A Secular Age*, London: The Belknap Press of HUP, 2007, 490.

³⁰⁴ R. Jones, ‘Sex Education in Personal and Social Education’, P. White (ed.), *Personal and Social Education: Philosophical Perspectives*, London: Kogan Page, 1989, 54-70, 69.

³⁰⁵ Jones, ‘Sex’, 63.

³⁰⁶ See Chapter 4 for a more detailed discussion on the current moral understanding of sex.

³⁰⁷ Hollinger, *Meaning*, 13.

³⁰⁸ H. Thielicke, *The Ethics of Sex*, J.W. Doberstein (tr.), Cambridge: James Clarke & Co., 1964, 20.

³⁰⁹ Thielicke, *Ethics*, 20.

2.4 Conclusion: Enriching Moral Discourse - The Language of Virtue

In presenting a case for the moral reconstruction of SRE policy discourse in England, the challenge for this thesis, in line with the constructive focus of my public theological engagement, will be to identify and sketch a moral language which moves beyond the increasingly popular position of liberal neutrality and ‘epistemological agnosticism’ in contemporary SRE discourse and instead shapes and presents a counter narrative within which young people can understand their sexual and relational nature, presenting a vision towards which their behaviour can be directed. As Smith suggests, in understanding the practices that form our loves, Christian witness should present practices that act as ‘counter-formation’.³¹⁰

Since the foundations of Western civilisation, moral philosophy has had a longstanding interest in the place of virtues in the moral life, and this tradition of rational engagement has significantly influenced and shaped the Christian tradition of virtue ethics and Christian character formation.³¹¹ In understanding virtues as qualities of character that are acquired, Hauerwas suggests that character is not equivalent to temperament or natural trait, but that it is something that an individual chooses.³¹² In exploring the interest of character in moral education, R.S. Peters noted: ‘A craving for a beef-steak, a lust for a pretty girl reveal a man’s nature, not his character. His character is revealed in what he does about them, in the manner in which he regulates, or fails to regulate them’.³¹³ Additionally, in identifying the difference between character and virtue, Hauerwas draws a helpful association: ‘The various virtues receive their particular form through the agent’s character’.³¹⁴

However, despite the long-standing tradition, the ‘project of acquiring virtue’, as Jennifer Herdt points out, is also accompanied by a long-standing critique within both philosophy and theology, viewed on the one hand as a threat to moral autonomy by the perceived external imposition of virtues and, on the other, as presenting a false vision of

³¹⁰ Smith, *Desiring*, 122.

³¹¹ Indeed, Benjamin W. Farley (B.J. Farley, *In Praise of Virtue: An Exploration of the Biblical Virtue Context*, Grand Rapids: Eerdmans, 1995) suggests that ‘this interest in virtue is more a phenomenon of Christianity’s respect for the rational traditions of Western philosophy, than it is a movement indigenous to the soil of either the Hebrew Bible or the New Testament’ (3).

³¹² Hauerwas, *Character*, 16.

³¹³ R.S. Peters, *Psychology and Ethical Development: A Collection of Articles on Psychological Theories, Ethical Development and Human Understanding*, London: George Allen and Unwin, 1974, 246.

³¹⁴ Hauerwas, *Character*, 16.

the moral self.³¹⁵ In addition, MacIntyre warns against the ‘indeterminacy of meaning’³¹⁶ when it comes to educating in the virtues, leading to discrepancy both in their understanding and application.³¹⁷ As he points out, ‘there is no theory-neutral, prephilosophical, yet adequately determinate account of the virtues to be given’.³¹⁸ This raises a particular challenge for character education in a pluralist, secular context. As James Arthur points out:

How is it possible in a heterogeneous society, composed of people who sharply disagree about basic values, to achieve a consensus about what constitutes character education for citizens in democracy? Can we agree on what constitutes character education, on what its content should be, and how it should be taught?³¹⁹

As noted earlier, Haydon highlights similar concerns regarding a virtue approach to moral education and its legitimisation.³²⁰ Nevertheless, in responding to such concerns, I will engage with and present a Christian virtue ethic as a means of enriching current SRE policy content. In light of MacIntyre’s cautionary note, questions will invariably arise over how a Christian virtue ethic might manifest itself in secular polity in a way that both coheres with, and is faithful to, a biblical understanding of human nature and human flourishing, and yet might be embraced as a moral narrative by those outside of the Christian community. This shall be explored in detail in Chapter 5.

In engaging with a Christian virtue ethic in SRE policy, therefore, it is important to clarify a number of points concerning the aims and purpose of this engagement as set against the wider discussion of the place of character in value and moral education in British education policy,³²¹ and the place of virtue in the Christian moral life. First, while recognising that the discipline of psychology has an interest in moral growth and the development of moral character as outworked within moral education, my interest in

³¹⁵ J.A. Herdt, *Putting on Virtue: The Legacy of the Splendid Vices*, London: University of Chicago Press, 2008, 1.

³¹⁶ A. MacIntyre, *How to Seem Virtuous Without Actually Being So*, Lancaster: Centre for the Study of Cultural Values, 1991, 16.

³¹⁷ MacIntyre, *How*, 6.

³¹⁸ MacIntyre, *How*, 12.

³¹⁹ J. Arthur, ‘Traditional Approaches to Character Education in Britain and America’, L.P. Nucci and D. Narvaez (eds.), *Handbook of Moral and Character Education*, Abingdon: Routledge, 2008, 80-98. See, for example, K. Kristjánsson, ‘Ten Myths About Character, Virtue and Virtue Education – Plus Three Well-Founded Misgivings’, *British Journal of Education Studies*, Vol. 61, No. 3, 2013, 269-287, for a response to this epistemological concern and others associated with a virtue ethic approach to education. In addition, contra MacIntyre’s assertion, the viability of educating for shared virtues in a plural society has also been presented; see, for example, K. Katayama, ‘Is the Virtue Approach to Moral Education Viable in a Plural Society?’, *Journal of Philosophy of Education*, Vol. 37, No. 2, 2003, 325-338.

³²⁰ Haydon, ‘Moral’, 326, 327.

³²¹ See J. Arthur, ‘The Re-emergence of Character Education in British Education Policy’, *British Journal of Educational Studies*, Vol. 53, No. 3, September 2005, 239-254.

character and virtue is of a philosophical and theological kind.³²² However, the interplay between the disciplines cannot go unnoted, particularly in view of what Carr notes to be the analytical ‘revolution’ in the philosophy of education, and the integration of the empirical theories of social science with philosophical discourse, including the focus on rationality in deriving moral norms.³²³ Secondly, the arguments presented in this thesis will not in any way seek to diminish the distinctive nature and calling of the Christian community in developing Christian character, nor indeed the distinctive nature of practices when it comes to sex and relationships.

In his exploration of the New Testament vision of Christian character, and answering the question of how Christians should behave, Tom Wright asserts: ‘Once Christian faith is in place, you need to develop Christian character by practicing the specifically Christian “virtues”’.³²⁴ In addition, at a societal level, and in recognition of the liberal democratic framework in which the church is positioned, Hauerwas suggests that the most important social task is for the church to be truthful to itself, to operate its own ‘school of virtue’.³²⁵ In doing so, he suggests: ‘The challenge is always for the church to be a “contrast model” for all polities that know not God’.³²⁶ As such, he points out that the church must critique its own commitment to virtuous living as much as it critiques that of secular society for, as he suggests, the moral education of the young in church is

³²² Peters, *Psychology*, 244. For a discussion on the interplay between the two, see, for example, Anna Abram’s comparative study into the relationship between developmental psychology and virtue-centred ethics; a combination of both accounts, she suggests, develops ‘a richer account of moral development’ (A. Abram, *Moral Development: An Interdisciplinary Study*, Heythrop College, University of London: Unpublished PhD Thesis, 2001, 157). See also A. Abram, ‘The Philosophy of Moral Development’, *Forum Philosophicum* 12, 2007, 71-86.

³²³ Carr, ‘Philosophy’, 44. See also R. Curren, P. Hager and E. Robertson, ‘The Analytical Movement’, R. Curran (ed.), *A Companion to the Philosophy of Education*, Oxford: Blackwell, 2003, 176-191.

³²⁴ T. Wright, *Virtue Reborn*, London: SPCK, 2010, 12. Wright explores the transformational nature of life in Christ and the implications of membership of God’s Kingdom for life and living, in particular, identifying the role of Christian virtues and fruits of the Spirit in cultivating Christian character through shaping the heart and mind, essential for the practice and outworking of virtuous living.

³²⁵ Hauerwas, *Community*, 84. Healy highlights Hauerwas’ ‘ecclesiocentric’ approach (Healy, *Hauerwas*, 38), and in so doing, critiques, in particular, his failure to be sufficiently theocentric, and to adequately account for the place of the individual and their subjective experience within his ‘social-theoretical’ account (see ‘Implications for Hauerwas’s Argument’ in Healy, *Hauerwas*, 95-98).

³²⁶ Hauerwas, *Community*, 84. In addition, James K.A. Smith points to the proponents of ‘Radical Orthodoxy’ who claim that there is a ‘deep antithesis that brokers no overlapping consensus’ between what a Christian narrative defines as ‘good’ and what modern liberals describe as ‘good’ (J.K.A. Smith, *Introducing Radical Orthodoxy: Mapping a Post-secular Theology*, Milton Keynes: Paternoster, 2004, 241). Herdt notes, however, that such a view, as exemplified by John Milbank, tends to ‘collapse modern into pagan’. As such, she suggests that Milbank ‘is far too critical of both pagan and modern to be an advocate of virtue ethic as such’ (Herdt, *Putting*, 348). In addition, Jonathan Chaplin points out the implications for a commitment to political engagement: ‘But while both Radical Orthodoxy and the Reformed tradition would move beyond secular reason, they do not agree on how to name the kind of discourse that should replace it’ (J. Chaplin, ‘Suspended Communities or Covenanted Communities? Reformed Reflections on the Social Thought of Radical Orthodoxy’, J.K.A. Smith and J.H. Olthuis (eds.), *Radical Orthodoxy and the Reformed Tradition: Creation, Covenant, and Participation*, Grand Rapids: Baker Academic, 2005, 151 – 182).

often limited to ‘conventional pieties coupled with a few unintelligible “don’ts.”’.³²⁷ Indeed, the argument offered by Smith on how secular ‘cultural liturgies’ are shaping our practices of learning echoes the necessity of this internal critique.

As an outworking of this internal critique and practice, Walter Brueggemann suggests that when it comes to the church’s engagement with society, ‘the church has gifts to give when it acts out of its own peculiarity, out of its “new self”, when it comes to “the other” out of its own being loved and forgiven’.³²⁸ As such, the exhibition of a distinctive virtuous character that arises out of a renewed life in Christ, and the practices that flow from it, have implications for the common good of wider society. As Gushee and Stassen suggest: ‘The biblical virtues are keys to community well-being: peacemaking, hungering for justice, doing mercy, integrity, humility and caring for the poor and the mourning. And they are the way of participation in community with God’.³²⁹ Living within and according to this distinctive Christian narrative, Hauerwas suggests, offers ‘a beacon to others illuminating how life should be lived well’.³³⁰ However, the purpose of this thesis is not to seek to comment on or critique the Church’s own commitment to its specific Christ-reflecting and Holy Spirit-inspired character and practices, though this is an important and necessary task. In adopting a constructive approach to public theological engagement, I will advance instead a position of ‘holiness as relational engagement’ rather than ‘holiness as separation’.³³¹

2.4.1 Defending a Theological Virtue Ethic in Public Moral Education

In applying a theological virtue ethic outside of the context of Christian community, I open myself up, nevertheless, to accusations of moving outside of a coherent understanding of a theological ethic.³³² As Robert C. Roberts points out: ‘What it is to be a person in the fullest and deepest sense is a matter of controversy between different

³²⁷ Hauerwas, *Community*, 86.

³²⁸ W. Brueggemann, *The Word That Redescribes the World: The Bible and Discipleship*, Minneapolis: Augsburg Fortress, 2006, 195.

³²⁹ Gushee and Stassen, *Kingdom*, 53.

³³⁰ S. Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* (2nd ed.), London: SCM Press, 2003, 34.

³³¹ Brueggemann, *Word*, 188.

³³² For example, in drawing on the work of Calvin, Ashish Varma suggests that a discussion of theological virtue apart from the process of sanctification which begins after union with Christ ‘seems meaning-less or, at least, seriously lacking in integration with Christian doctrine and the human condition’ (A. Varma, ‘Sin, Grace, and Virtue in Calvin: A Matrix for Dogmatic Consideration’, *Scottish Bulletin of Evangelical Theology*, Vol. 28, No. 2, Autumn 2010, 177-194, 179).

moral traditions'.³³³ As a result, understandings of human nature and human flourishing are fundamentally different, as are, accordingly, the individual virtues that constitute the moral life.³³⁴ Wright suggests that 'the "virtues" are the different strengths of character which together contribute to someone becoming a fully flourishing human being'.³³⁵ In light of this, I affirm the dynamic reality of the church's dual citizenship.³³⁶ As such, I will present a vision of human flourishing within SRE policy discourse that attempts to avoid what Herdt identifies as the very real temptation of contemporary Christian virtue ethics: 'on the one hand, that of falsely idealizing the church and its practices, and, on the other, that of denouncing secular modernity rather than discerning God at work within it'.³³⁷

In reflecting on the place of an ethic of character within the biblical narrative, Benjamin F. Farley points out that central to any biblical understanding is the affirmation of humanity created in the image of God. This, he suggest, has two implications: '(1) the high human potential for intellectual development and moral sensitivity, (2) the uniquely human capacity for fellowship and cooperation with God and neighbor'.³³⁸ I concur with Farley's assessment that the Fall did not completely destroy God's image in us, but 'men and women alike are capable of impressive moral and intellectual achievement'.³³⁹ Of course, this touches on one of the fundamental internal critiques of a Christian virtue ethic within theological discourse: that of recognising and reconciling the ethical theory with an understanding of our corrupted moral agency.³⁴⁰

As such, in his assessment of the role of an ethic of character within an evangelical ethic, O'Donovan acknowledges the soteriological discrepancy between a Catholic and

³³³ R.C. Roberts, 'Character', D.J. Atkinson and D.H. Field (eds.), *New Dictionary of Christian Ethics and Pastoral Theology*, Leicester: IVP, 1995, 65-71, 65.

³³⁴ Roberts, 'Character', 66.

³³⁵ Wright, *Virtue*, 31.

³³⁶ The 'Two Kingdom' model (or Niebuhr's equivalent, 'Christ and Culture in Paradox') of cultural engagement is strongly rooted in reformed theology (A. Bradstock, 'The Reformation', W.T. Cavanaugh and P. Scott (eds.), *The Blackwell Companion to Political Theology*, Oxford: Blackwell, 2004, 62-75, 62). However, as O'Donovan points out, the answer to the question over whether the Kingdom proclaimed by Jesus is conceived as a 'spiritual' or a 'political' one is as problematic today as it was for the church Fathers, if, indeed, we fail to understand that the Kingdom of God spans the two: 'The unity of the kingdoms, we may say, is the heart of the Gospel, their duality is the pericardium' (O'Donovan, *Desire*, 82). He later concludes: 'Pending the final disclosure of the Kingdom of God, the church and society are in dialectical relation, distant from each other as well as identified' (O'Donovan, *Desire*, 251).

³³⁷ Herdt, *Putting*, 347.

³³⁸ Farley, *Praise*, 5.

³³⁹ Farley, *Praise*, 6. This will be discussed in more detail in Chapter 5, in particular, as understood within a 'common grace' approach to public theology and moral education.

³⁴⁰ See, for example, A.N.S. Lane, 'Lust: The Human Person as Affected by Disordered Desires', *Evangelical Quarterly*, Vol. 78, No. 1, 2006, 21-35. Lane presents the case for why sin remains an important part of our understanding of personhood.

Protestant understanding of character formation within the respective moral traditions; yet this does not deem either one redundant, nor indeed the outcome of the moral deliberation: ‘We shall not learn how to save our souls by talking about the formation of virtuous characters. Nevertheless, such talk may teach us better than anything else what it is for a soul to be lost or saved, and so teach us to care about it for ourselves and others’.³⁴¹ As Farley points out, the gospel truth behind a biblical virtue ethic is clear: ‘*no one is saved by exercising virtue; nor is anyone damned for the lack of it. God and God’s grace come first*’.³⁴²

However, as a result of this discrepancy, Arthur claims that there are few ethicists and moral philosophers from the Protestant tradition engaged in thinking around character education and virtue ethics.³⁴³ Those whom he does identify, he suggests, fit into one of two communities: ‘the neo-orthodox who lean towards separatism and isolationism in their view of character within their own Christian communities, and another liberal group who have been too open to non-Christian accounts of character’.³⁴⁴

It is important to note that this thesis is specifically concerned with a theological ethic of character in the context of moral *education*. Thus, Gilbert C. Meilaender identifies the challenge faced by Protestant educators in giving credence to both their belief that virtues can be shaped by habit and yet the assertion that the virtuous life is only possible on account of divine initiative.³⁴⁵ In light of this tension, Herdt, in addressing in particular the fundamental objection posed by a Lutheran position, i.e. that of seeking to foster virtuous habits and communities before firstly exhibiting a total reliance on God’s gift of grace,³⁴⁶ points out: ‘Luther is forced to concede that children must be transformed from outside in, at least in the sense that the beauty of external practices can render them receptive hearers of the Word’.³⁴⁷

This is echoed in Gerald Strauss’ account of the pedagogical principles that defined Luther’s approach to education and learning. Despite the apparent ‘internal contradiction’ of Luther’s theological position on human nature, on Luther’s

³⁴¹ O’Donovan, *Resurrection*, 224.

³⁴² Farley, *Praise*, 3.

³⁴³ J. Arthur, *Education with Character: The Moral Economy of Schooling*, London: RoutledgeFalmer, 2003, 47.

³⁴⁴ Arthur, *Education*, 47.

³⁴⁵ G.C. Meilaender, *The Theory and Practice of Virtue*, Notre Dame: University of Notre Dame Press, 1984, 123.

³⁴⁶ Herdt, *Putting*, 174

³⁴⁷ Herdt, *Putting*, 189.

understanding of educating the young Strauss concludes: ‘Still, one may find in his assertions enough encouragement to support the conclusion that educational efforts are by no means wasted or without object and direction’.³⁴⁸ In particular, and interesting for my own discussion, were the efforts made to prolong the perceived innocence of childhood when it came to a young person’s acknowledgement and understanding of their sexual nature, in order to allow time for the forming and shaping of thoughts and habits.³⁴⁹

Therefore, presenting a Christian vision of personhood, and the virtues that correspond to it, can be viewed as a central part of moral education, while at the same time readily recognising the theological tensions therein.³⁵⁰ Meilaender suggests that this tension evidences the practical outworking of the now but not yet of the Christian story: ‘These virtues do at least foster human life together and fashion human behaviour – if not character in the fullest sense – in a way which more closely approximates God’s will for human life’.³⁵¹ In addition, a focus on the examined life provided by virtue discourse can be seen as an apologetic opportunity. Presenting God in his full attractiveness, Alister McGrath suggests, includes presenting the morality which the Christian faith offers: ‘Christianity offers a world-view, which leads to the generation of moral values and ideals which are able to give moral meaning and dignity to our existence’.³⁵² As such, he views our perception of moral obligation as a ‘point of contact for the gospel’.³⁵³

³⁴⁸ G. Strauss, *Luther’s House of Learning: Indoctrination of the Young in the German Reformation*, London: The Johns Hopkins University Press, 1978, 35.

³⁴⁹ Strauss, *Luther’s*, 101. These efforts were made, notes Strauss, in spite of Luther’s recognition of the naturalness and power of the sexual drive and the harm done by its suppression (102).

³⁵⁰ See Chapter 5 for further discussion of these tensions.

³⁵¹ Meilaender, *Theory*, 125.

The ‘What If Learning’ concept of teaching and learning provides an example of a recent initiative within Christian education to explore the role of character in education, presenting a ‘distinctive vision of what it means to be a person made in God’s image’ (What If Learning, ‘Developing Christian Character’, (http://www.whatiflearning.co.uk/files/_cache/pdf/Page-12-uk.pdf; accessed 20.03.13). Living in line with this vision, they suggest, concerns the ‘formation of Christian character and the development of Christian wisdom and Christian virtues’. Education, therefore, becomes more than simply the effective transmission of information, but, according to Cooling, is focused on character development (T. Cooling, ‘The Distinctiveness of Christian Learning in Church of England Schools’, H.J. Worsley (ed.), *Anglican Church School Education: Moving Beyond the First Two Hundred Years*, London: Bloomsbury Academic, 2012, 167-185). While acknowledging that Christian character essentially arises out of a relationship with God through Christ, ‘What If Learning’ does not dismiss the possibility of those from outside of the Christian faith community being offered a Christian vision of personhood, particularly within the context of a Christian school.

³⁵² A.E., McGrath, *Bridge-Building: Effective Christian Apologetics*, Leicester: IVP, 1992, 226.

³⁵³ McGrath, *Bridge-Building*, 68.

Finally, in focussing on Christian virtues as a means of shaping an ethical framework for sexual and relational behaviour as understood within the Christian narrative, I note Hollinger's conclusion that this is best done alongside an understanding of the commands and principles that shape a theological ethic: 'An ethic that focuses on both character and decisions, the internal (who we are) and the external (what we do), is far more holistic and representative of biblical guidance'.³⁵⁴ Therefore, while acknowledging that virtue, commands and principles each have a place in the Christian moral narrative, the focus of this thesis will be on the place of virtue within that narrative. In particular, the purpose of our engagement with the language of virtue will be to sketch the rich philosophical and theological landscape within which an understanding of an ethic of character has developed and nurtured an approach to moral education.³⁵⁵ In so doing, the moral framework of SRE policy will be informed by an ethical theory that seeks to move the moral content of SRE beyond the acquisition of cognitive and reasoning capacities, resolving, in addition, to value and advocate specific qualities of character. This will address the 'impoverished' nature of moral education in our schools, which, Richard Pring notes, has emerged on account of the emphasis on the cultivation of autonomy over virtue.³⁵⁶

In effect, re-imaging a virtue ethic within the context of SRE policy may simply re-awaken a moral language, the remnant of which remains within contemporary moral discourse. For, as Wright suggests, Western culture has already been shaped for centuries by elements of Christian teaching on what constitutes good character. As a consequence, what we explore in terms of Christian character, he claims, 'will overlap considerably with wider questions about the "character" that our whole society urgently needs to rediscover and develop'.³⁵⁷ Surely, in responding to Archard's liberal approach

³⁵⁴ Hollinger, *Meaning*, 42. Indeed, this is a criticism that was raised by Sean Doherty in his critique of the engagement of a virtue ethic within the Church of England's 'Pilling Report' on human sexuality (S. Doherty, 'KLICE Comment: A Response to the Pilling Report', <http://tyndalehousecreatesend1.com/t/ViewEmail/r/C2DD857626E820522540EF23F30FEDED/F55BC4E7C001EB2338A555EB6E97B45B>; accessed 08.11.14).

³⁵⁵ For example, Carr identifies five contemporary approaches to 'virtue ethics', yet distinguishes the traditional understanding of virtue ethic with the wider concerns of 'virtue theory' i.e. reflecting different perspectives on how a virtuous character is defined and how it informs moral judgement. For example, other ethical theories such as Kantianism define a virtuous character as one who conforms to the rationally determined moral law rather than actions being regarded as virtuous because they are judged to conform to moral behaviour (D. Carr, 'Virtue Ethics', T.C. Hunt, D.K. Lapsley, D. Narvaez, R.J. Nuzzi and F. Clark Power (eds.), *Moral Education: A Handbook, Vol. 2: M-Z*, London: Praeger, 2008, 467, 468; D. Carr, 'Virtue Theory', T.C. Hunt, D.K. Lapsley, D. Narvaez, R. J. Nuzzi and F. Clark Power (eds.), *Moral Education: A Handbook, Vol. 2: M-Z*, London: Praeger, 2008, 468, 469).

³⁵⁶ R. Pring, 'In Defence of Virtue Teaching', J. Gingell (ed.), *Education and the Common Good: Essays in Honor of Robin Barrow*, Abingdon: Routledge, 2014, 40-49, 48, 49.

³⁵⁷ Wright, *Virtue*, 27.

to sex education, it is for the critic to argue why this would not or could not offer a worthwhile, enriching and, arguably, much needed contribution to the current moral discourse around SRE.

Chapter 3

The Moral Imperative of SRE Policy Discourse: 'Informed Choice'

3.1 Introduction: Teaching Morality

In developing a critique of the liberal position adopted by Archard in the teaching of sex education, and re-affirming a vision of the embodied learner in community, I shall echo in this chapter Sandel's conclusion that a government's 'aspiration to neutrality' on moral and religious questions denies the fact that a position on questions of justice and the good life must be taken. Pursuing moral consensus and reaching moral conclusions on underlying, value-laden questions concerning the content of SRE and the vision of human flourishing therein is unavoidable in policy decisions and imbued in the normative ethical framework that emerges. In particular, I shall reveal how the liberal ethical principles within political philosophical discourse of 'maximising welfare' and 'respecting freedom' are at work in SRE policy. I will present a case for why the liberal ethical theories that give rise to these principles, and the implicit value judgments concerning human sexuality therein, provide an incoherent and inadequate public vision of moral education.

In acknowledging the inherently moral nature of SRE as a subject, wider issues pertaining to a public defence for its teaching and for the teaching of morality more broadly cannot be overlooked. On closer examination, a variety of moral positions are adopted. Colin Wringe, for example, presents two kinds of moral motivation for engaging in moral education; firstly, a 'social utility view' responds to what society identifies as delinquent or irresponsible behaviour, employing various methods to deter young people from engaging in such behaviours. This view can act, he suggests, as a response to young people's licentious sexual behaviour.³⁵⁸ In contrast, a "'group values view'" identifies and educates young people according to a system of beliefs, practices and relationships'.³⁵⁹

He suggests that in a pluralist, liberal society, a social utility approach may be deemed preferable as it does not necessarily seek to impose prescriptive values or beliefs on the

³⁵⁸ C. Wringe, 'Three Approaches to Moral Education', J. Cairns, R. Gardner and D. Lawton (eds.), *Education for Values: Morals, Ethics, and Citizenship in Contemporary Teaching*, London: Kogan Page, 2000, 38-49, 39

³⁵⁹ Wringe, 'Three', 39.

young person.³⁶⁰ Nevertheless, he acknowledges that a ‘social utility view’ is yet shaped by the preferences of the ‘adult world’. In contrast, he suggests, the group values view develops qualities that are judged valuable to the young person themselves.³⁶¹ However, he notes that within the modern world ‘neither approach is entirely satisfactory’,³⁶² acknowledging thus the challenge for educating in moral literacy:

Learning to live morally in a world without absolutes, as perhaps our children must, is more difficult to conceive, and may require a measure of intellectual flexibility, which the younger generation will hopefully be able to attain more easily than ourselves.³⁶³

In light of this, he advances an alternative approach to moral education that appeals to the rationality of the young person and seeks to esteem the rewards of good behaviour, in order to empower the young person to act well. Moral education, he argues, should help the young person gain an understanding of the moral complexities of an ever-changing world, in order to cope with these and, in turn, ‘forge their own version of a satisfactory way of living together after our generation’s practices and preconceptions have become inapplicable and passed into oblivion’.³⁶⁴ This accords with what he regards as the ‘master-virtue’ of moral education: ‘independence and self-sufficiency’.³⁶⁵

This approach echoes what Eamonn Callan and John White identify as the extrinsic goal of a liberal philosophy of education: presenting the young person with options for living, helping them to gain an understanding of themselves, and equipping them with the qualities of character and independence of thought to stand up for what they believe in.³⁶⁶ The purpose of this educational approach is to uphold the liberal values of individual freedom and equality, grounded in the moral outworking of practical reason. For as Halstead suggests, ‘forcing young people to do what they are told without understanding why and without choosing it for themselves is anti-educational’.³⁶⁷ This ideal functions as a critique to what Carr points out to be the paternalistic nature of

³⁶⁰ Wringe, ‘Three’, 40.

³⁶¹ Wringe, ‘Three’, 40.

³⁶² Wringe, ‘Three’, 42.

³⁶³ Wringe, ‘Three’, 45.

³⁶⁴ Wringe, ‘Three’, 48. See C. Wringe, ‘The Diversity of Moral Education’, *Journal of Moral Education*, Vol. 34, No. 4, 2000, 659-672, for a discussion on the complexity that this presents for the practice of moral education.

³⁶⁵ C. Wringe, ‘Reasons, Rules and Virtues in Moral Education’, *Journal of Philosophy of Education*, Vol. 32, No. 2, 1998, 225-237, 235.

³⁶⁶ Callan and White, ‘Liberalism’, 97.

³⁶⁷ J.M. Halstead, ‘Is Moral Education Working? Extracts from the Diary of a Twenty-First Century Moral Educator’, *Journal of Moral Education*, Vol. 40, No. 3, 2011, 339-347, 340.

‘educational *traditionalism*’, which promotes the reception of knowledge and dispositions with uncritical conformity.³⁶⁸

However, a liberal philosophy of education should not infer a ‘neutral’ account of moral behaviour, nor an account that is independent of the normative influence of society. For Brian Wakeman at least notes the impossibility of avoiding value judgements on good and bad behaviour when it comes to functioning within school community; implicit values are inevitably embedded into the philosophy of the school, its teaching practice, and what is expected of its pupils.³⁶⁹ In addition, the moral overtone and subsequent direction of policy discourse around the nature and content of moral and spiritual education continues to be impacted by the prevailing moral and socio-political climate, as reflected by discussion emanating within public policy circles.³⁷⁰ Therefore, in exploring its philosophical moorings, Thomas Wren suggests that moral education has the dual function of benefitting society and the individual, ‘at once a necessary condition for social control and an indispensable means of self-realization’.³⁷¹

In addition, within a liberal democracy, the normative role of parents as primary educators is defended, including the right to pass on beliefs and values to their children.³⁷² Recognised as a critical building block of society, not least in terms of establishing boundaries between the moral responsibility of the state and the freedom of the individual, it is also a necessary prerequisite to protecting the institution of the

³⁶⁸ Carr, ‘Problems’, 16. He also points to the counter approaches of progressivism and radicalism as equally problematic in light of the instrumental and relativist approach to knowledge and moral enquiry (21).

³⁶⁹ B. Wakeman, *Personal, Social and Moral Education: A Source Book*, Tring: Lion Publishing, 1984, 22, 23.

³⁷⁰ In noting the increase in articles, books and conferences on moral and spiritual education, Carr suggest three concerns that may have driven this: ‘a socio-political worry about the decline of social co-operation and common purpose’; ‘anxiety about the breakdown of traditional values under the influence of secularism and materialism’; a professional concern that recent political interest in improving educational standards has focussed more on the economic than the moral benefits of education’ (D. Carr, ‘Three Conceptions of Spirituality for Spiritual Education’, D. Carr and J. Haldane (eds.), *Spirituality, Philosophy and Education*, London: RoutledgeFalmer, 2003, 213-225, 213).

³⁷¹ T. Wren, ‘Philosophical Moorings’, D. Narvaez and L.P. Nucci (eds.), *Handbook of Moral and Character Education*, Abingdon: Routledge, 2008, 11-29, 11. Wren offers a comprehensive overview of the philosophical roots of moral education, from ancient, non-Western ideas through to a broad sweep of Western philosophical thinking. In doing so, he concludes that although philosophical discourse continues, many of the voices are ‘retrieving, or better, refurbishing’ past philosophical traditions (27).

In addition, in charting the theories and historical perspectives on moral education, Elias is quick to point out that the interdisciplinary nature of moral education makes an examination of the subject a complex activity, taking into account not only the religious and secular accounts, but the fact that all moral philosophies give an account of moral education (Elias, *Moral*, ix). In light of this, I will seek to give a brief overview of the theories and underlying liberal principles that shape the public moral narrative and our current policy approach to SRE.

³⁷² In response, the argument could be made that the state and schools need to pick up the responsibility of teaching on these issues on account of the moral abdication of parents and the disintegration of the family unit.

family.³⁷³ Even those who advocate for the moral autonomy of the child, like Archard, must yet concede that when it comes to the appropriate context for raising children, the family remains, on balance, 'the most feasible and desirable'.³⁷⁴ For, as he acknowledges, while the political and moral status of the child is enshrined in international law, in particular the UNCRC (United Nations Convention on the Rights of the Child),³⁷⁵ the Convention equally protects the rights and duties of parents to provide direction and guidance, in line with the evolving capacity of the child. He expresses the hope, nevertheless, that a parent within liberal society would, at the very least, wish to educate their child in accordance with the 'virtues of tolerance and equality of respect'.³⁷⁶

Nevertheless, notwithstanding the values and virtues taught in the home, Carr suggests that it may yet be 'reasonable' to suggest that schools teach 'a common "core" of values and virtues for the purposes of moral, social and civic education and as a basis of moral sensibility and order for the common school'.³⁷⁷ In so doing, Archard acknowledges the interest of society at large in providing a basic education for its children, in order to ensure its own future stability and security.³⁷⁸ Therefore, Halstead suggests that it is not the existence of a relationship between citizenship and moral education that is 'seriously questioned', but, in effect, what is up for discussion is the 'nature and limits of this relationship'.³⁷⁹ Indeed, there has been a long-standing recognition within British society of the contribution that education makes to the spiritual and moral development of children and young people.³⁸⁰ The Education Reform Act (1988) extended these duties to the statutory framework of the National Curriculum, which was required to promote the 'spiritual, moral, cultural, mental and physical development of pupils at the

³⁷³ See B. Almond, *The Fragmenting Family*, Oxford: OUP, 2006.

³⁷⁴ D. Archard, *The Family: A Liberal Defence*, Basingstoke: Palgrave Macmillan, 2010, 99.

³⁷⁵ D. Archard, 'The Moral and Political Status of Children', *Public Policy Research*, March-May 2006, 6-12, 7. Archard points to Article 3 (Non-discrimination) and Article 12 (Respect for the view of the child) of the Convention in defence of the rights of the child to moral autonomy (http://www.unicef.org.uk/Documents/Publication-pdfs/UNCRC_summary.pdf; accessed 15.08.14). For further reflections on Archard's position on children's rights, see D. Archard and M. Skivenes, 'Balancing a Child's Best Interests and a Child's Views', *International Journal of Children's Rights*, Vol. 17, 2009, 1-21; D. Archard, 'Children, Adults, Best Interests and Rights', *Medical Law International*, Vol. 13, No. 1, 2013, 55-74.

³⁷⁶ Archard, 'Moral', 10.

³⁷⁷ Carr, *Making*, 70.

³⁷⁸ Archard, 'Moral', 10.

³⁷⁹ Halstead, 'Moral', 255. Although I shall not explore in detail, see A. Peterson, 'Civic Republicanism', J. Arthur and A. Peterson (eds.), *The Routledge Companion to Education*, Abingdon: Routledge, 2012, 20-27, for a brief reflection on the concepts behind, and the implications of, educating for citizenship.

³⁸⁰ *Education Act, 1944*, (<http://www.educationengland.org.uk/documents/acts/1944-education-act.pdf>; accessed 08.10.14).

school and of society’.³⁸¹ Due to these statutory requirements, a necessary and on-going policy discourse ensued into the nature and content of moral and spiritual education. For example, The National Curriculum Council, in their discussion paper on moral and spiritual development, noted that children needed to be taught concepts of right and wrong from an early age; in addition, a failure to focus on pupils’ spiritual development, it was argued, would impair their intellectual and social development.³⁸² According to the current National Curriculum in England for primary and secondary schools, all state funded schools must offer a curriculum which ‘promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and prepares pupils at the school for the opportunities, responsibilities and experiences of later life’.³⁸³

Attempts have been made to achieve a shared consensus on values to be taught; for example, the outcome of deliberations by the so-called ‘millennial moralists’³⁸⁴ resulted in the establishment of the National Forum for Values in Education and the Community.³⁸⁵ The preceding SCAA (School Curriculum and Assessment Authority) conference, out of which the Forum was established, recognised that preparing young people for adult life and life in community was linked with spiritual and moral development, confirming the school’s role in promoting the values and behaviours that are valued within society.³⁸⁶ The conference report suggested that confusion over the appropriate values and behaviours to be promoted was due in part to ‘a misunderstanding of the philosophical debate’.³⁸⁷ As such, they stated: ‘The fact that some values or behaviours cannot be defined as “absolutes” does not prevent them from

³⁸¹ *Education Reform Act 1988*, (<http://www.legislation.gov.uk/ukpga/1988/40/section/1/enacted>; accessed 09.11.12).

³⁸² National Curriculum Council, *Spiritual and Moral Development: A Discussion Paper*, York: National Curriculum Council, 1993, 3, 4.

³⁸³ Department for Education, *The National Curriculum in England: Key Stages 1 and 2 Framework Document*, September 2013, 5, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260481/PRIMARY_national_curriculum_11-9-13_2.pdf; accessed 15.07.14).

Department for Education, *The National Curriculum in England: Key Stages 3 and 4 Framework Document*, July 2014, 4, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/330327/SECONDARY_national_curriculum_FINAL_140714.pdf; accessed 15.07.14).

³⁸⁴ J. Beck, *Morality and Citizenship in Education*, London: Cassell, 1998.

³⁸⁵ The statement of values, drawn up by the Forum, can be viewed at: http://www.spanglefish.com/mariessite/documents/official%20documents/Statement-of-values_tcm8-12166.pdf; accessed 07.08.13.

³⁸⁶ School Curriculum and Assessment Authority (SCAA), *Education for Adult Life: the Spiritual and Moral Development of Young People. A Summary Report Prepared by the School Curriculum Authority*, Hayes: SCAA Publications, 1996.

³⁸⁷ SCAA, *Education*, 5.

being promoted as the general rule’.³⁸⁸ In addition, the Forum’s value statement recognised that drawing up a list of shared values did not require an agreement on their source, although a defence for their source should not be overlooked.³⁸⁹

Evidently, when it comes to the content and *telos* of moral education, a variety of moral conclusions can be drawn. Johannes van der Ven, for example, notes that while moral communication may be viewed as a ‘common denominator’ to different approaches, he identifies seven modes by which moral education is pursued: ‘discipline, socialization, transmission, cognitive development, clarification, emotional formation, and education for character’.³⁹⁰ The first two he identifies as part of ‘informal moral education’, the next five as part of ‘formal moral education’, and education for character, he regards as the ‘highest objective of moral education’.³⁹¹ My discussion, while identifying the preferred modes of moral education evident within policy discourse, shall argue that it is this highest objective of which there is a dearth of debate, in particular, within SRE policy discourse. Instead, in exploring the current approach to moral education and the underlying complexity of its aims, I will identify with what Halstead clarifies are three characteristics which he suggests commonly define a “morally educated person”: being informed, being committed to acting morally, and being critically reflective’.³⁹²

³⁸⁸ SCAA, *Education*, 5. As Marianne Talbot and Nick Tate point out, by once again acknowledging the very existence of values, this should not be seen as a means by which all moral conflict is resolved, but a shared ideal of behaviour, something worth striving for: ‘It is in the achieving of these goals and setting ever new ones that our human dignity lies’ (M. Talbot and N. Tate, ‘Shared Values in a Pluralist Society?’, T. Smith and P. Standish (eds.), *Teaching Right and Wrong: Moral Education in the Balance*, Stoke on Trent: Trentham Books, 1997, 1-14, 4).

³⁸⁹ In his assessment of the Forum and the value statement, Haydon recognises that in developing a public policy on moral education and moral development, reference needs to be made to shared values. However, in his view this does not equate with, nor necessitate, a commonality when it comes to spiritual development: ‘While in a plural society there will not be convergence on the meaning of ‘life, the universe, and everything’, there could be convergence on the meaning of morality (n)’ (G. Haydon, *Values, Virtues, and Violence: Education and the Public Understanding of Morality*, Oxford: Blackwell, 1999, 170). N.B. ‘n’ is used to abbreviate the notion of ‘morality in the narrow sense’, equating the function of morality (though not necessarily its form) with that of the law. However, he nevertheless recognises that the notion of ‘spirituality’ might yet be necessary in order to make sense of morality, recognising the ‘wider framework of meaning’ that religion provides (G. Haydon, *Teaching About Values: A New Approach*, London: Cassell, 1997, 90).

Therefore, without going into a discussion on the relationship between spirituality, morality and religion and how this is understood within education, I echo John Keast when, through his exploration of the development of ‘spiritual’ within the English curriculum, he acknowledges that the connection between belief and values means that educationalists and politicians ‘cannot avoid the spiritual and religious when talking about morality, if only because they sense some connection’ (J. Keast, ‘Spiritual Development and the Qualifications and Curriculum Authority’, D. Carr and J. Haldane (eds.), *Spirituality, Philosophy and Education*, London: RoutledgeFalmer, 2003, 157-169, 164).

See SCAA, *Education*, for a list of definitions of spirituality: ‘Spirituality was generally viewed as enriching individuals in their understanding of, and ability to relate to, others and of society as a whole’ (6).

³⁹⁰ J.A. van der Ven, *Formation of the Moral Self*, Cambridge: Eerdmans, 1998, 35.

³⁹¹ van der Ven, *Formation*, 40.

³⁹² Halstead, ‘Moral’, 256.

As such, I will firstly explore the explicit and implicit values evident in public health discourse concerning young people's sexual behaviour, embodied in sexual health promotion policy, and outworked in health education.³⁹³ For sexual health policy recognises the key role SRE plays, not only in preventing teenage pregnancy, a priority area of sexual health improvement,³⁹⁴ but in building knowledge and resilience amongst young people up to the age of 16.³⁹⁵ As the developing argument will indicate, SRE discourse inevitably moves beyond a medical account of 'sexual health', and involves the articulation of values that define and shape an understanding of personhood and human sexuality.

3.2 A Public Vision of 'Sexual Health'

Public policy norms concerning the value of 'health' have been shaped by international policy principles as set down by the WHO.³⁹⁶ Sylvia Tilford and Keith Tones note that the WHO Ottawa Charter, and associated publications on health promotion, unveiled the ideological belief that 'health should be viewed holistically as a positive state; it is an essential commodity which people need in order to achieve the ultimate goal of a socially and economically productive life'.³⁹⁷ In addition, it is also viewed as having laid the cornerstone of a health promotion ethic,³⁹⁸ where empowerment is the moral touchstone: 'Health promotion is the process of enabling people to increase control over, and to improve, their health'.³⁹⁹ It should also be noted that a political defence for

³⁹³ Responding to public and political concerns around sexual health in England currently falls within the policy remit of Public Health England, established on 1st April 2013, is an executive agency of the Department of Health and has responsibility for protecting and improving the nation's health and reducing inequalities (<https://www.gov.uk/government/organisations/public-health-england/about>; accessed 20.09.13).

In defining public health, Roger Detels notes: 'public health is the art and science of preventing disease, prolonging life, and promoting health through the organised effort of society' (R. Detels, 'The Scope and Concerns of Public Health', R. Beaglehole, R. Detels, M. Gulliford and M.A. Lansang (eds.), *Oxford Textbook of Public Health* (5th ed.), Oxford: OUP, 2009, 3-19, 3). Its goal, he states, is the 'biologic, physical, and mental well-being of all members of society' (Detels, 'Scope', 3).

³⁹⁴ DoH, *Framework*, 38.

³⁹⁵ DoH, *Framework*, 13.

³⁹⁶ In the Ottawa Charter of 1986, following the first international conference on health promotion, the WHO drew up their first definition of health promotion (<http://www.who.int/healthpromotion/conferences/previous/ottawa/en/>; accessed 21.01.13). See F. Wilson, 'Public Health and Health Promotion', M. Mabhala and F. Wilson (eds.), *Key Concepts in Public Health*, London: SAGE, 2009, 145-151, for a summary of WHO and UK strategies and policies.

³⁹⁷ S. Tilford and K. Tones, *Health Education: Effectiveness, Efficiency and Equity* (2nd ed.), London: Chapman & Hall, 1994, 4.

³⁹⁸ M.B. Mittelmark, 'Setting an Ethical Agenda for Health Promotion', *Health Promotion International*, Vol. 23, No. 1, 2007, 78-85.

³⁹⁹ <http://www.who.int/healthpromotion/conferences/previous/ottawa/en/>; accessed 25.08.14.

sex education is presented within this international public health framework: ‘Since it is the interest to every society that its members are secure, have self-respect and take a responsible attitude to their sexual life, it is in the interest of every society to prepare its members for future sexual activity’.⁴⁰⁰

Therefore, from its inception, as my brief account of the development of SRE policy in England denotes, sex education fell within the remit of health promotion, in particular, health education, with earliest policy accounts recognising the intrinsic moral and spiritual questions at stake in educating young people on sexual matters.⁴⁰¹ Early international policy discussion on health education and, in particular, sex education, recognised that creating a desire for health was the ‘major task of the health educator, and its absence the major obstacle for the sex educator’.⁴⁰² The priority of promoting health, therefore, was viewed as essential to fulfilling the role of sex education and vice versa.⁴⁰³ Different theoretical models and approaches have emerged within health promotion for translating policy into practice.⁴⁰⁴ In spite of this, David McQueen suggests that health promotion still lacks a strong theoretical base and, as such, ‘practice has been and remains difficult to define’.⁴⁰⁵ This, he suggests, has particular implications for measuring effectiveness of practice.⁴⁰⁶ In addition, it is argued that its promotion should not be left to the medical profession or solely in the hands of the individual, but the environmental conditions in which we live and work must nurture the community context in which health is made possible.⁴⁰⁷

⁴⁰⁰ World Health Organisation (WHO), *Euro Reports and Studies 89: Family Planning and Sex Education of Young People*, Copenhagen: WHO Regional Office for Europe, 1984, 1. Archard highlights a reason for teaching sex education in schools is so that the state can ensure its future citizens learn about sex in the ‘right way’ (Archard, ‘Sex’, 540).

⁴⁰¹ See 2.1.

⁴⁰² F. Rowntree, ‘The New Role of Sex Education’, A. Le Meitour-Kaplun (ed.), *International Union for Health Education: Communication and Behaviour Change*, Geneva: International Journal of Health Education, 1971, 267-272, 269.

⁴⁰³ Rowntree went as far as to suggest that ‘until the role of sex education in the promotion of personal, family and community health is realized, the hostilities and prejudices towards the subject will continue to abound and its practice will continue to be partial, incomplete and inadequate’ (Rowntree, ‘New’, 269).

⁴⁰⁴ See, for example, A. Scriven, *Promoting Health: A Practical Guide* (6th ed.), Oxford: Baillière Tindall, 2010, 34-36, for five identified models of promoting health.

⁴⁰⁵ D. McQueen, ‘The Evaluation of Health Promotion Practice: Twenty-First Century Debates on Evidence and Effectiveness’, *A Reader in Promoting Public Health: Challenge and Controversy* (2nd ed.), Milton Keynes: The Open University, 2010, 89-96, 93.

⁴⁰⁶ McQueen, ‘Evaluation’, 93.

⁴⁰⁷ Tilford and Tones, *Health Education*, 4. However, Tilford and Tones note that social and environmental determinants of health are not given high importance in school-based health education (S. Tilford and K. Tonnes, *Health Promotion: Effectiveness, Efficiency and Equity* (3rd ed.), Cheltenham: Nelson Thornes, 2001, 225).

However, the potential for initiatives towards this end are innumerable, not least for public policy and education, thus highlighting the importance of clarifying the logical remit and scope of health promotion.⁴⁰⁸ This invariably raises distinct ethical challenges for health promotion,⁴⁰⁹ not least on account of the fact that judgements are being made about what constitutes ‘better health’ and about ‘whether and how to intervene to promote it’.⁴¹⁰ In addition, Blair and Monk suggest that the ‘pre-eminent status’ given to health in sex education discourse ‘can outweigh other important values including important ethical and moral concerns’.⁴¹¹ Linda Ewles and Ina Simnett warn against the danger of ‘healthism’, where health is given an ultimate value, and the value that individuals actually apportion to it is overlooked.⁴¹²

In the face of ambiguity over whether evidence or values drives the health promotion agenda, David Seedhouse suggests that, until this is resolved, the political nature of health promotion will be ‘partially hidden’: ‘All health promotion - even the most routine and mundane – is based on one political philosophy or another’.⁴¹³ Bruce Jennings suggests that, in view of the Western political tradition of liberalism, it is unsurprising that ‘public health ethics should show itself to be predominantly a child of liberalism’.⁴¹⁴ Standing in the light of this moral and political tradition, Keith Tones recognises that an empowerment model of health promotion offers a resolution to the ethical dilemma of, on the one hand, the need to safeguard and protect the public’s health while, on the other, respect the freedom of the individual, including the freedom to choose an ‘unhealthy’ lifestyle.⁴¹⁵ As such, a number of Reiss’s principled positions for sex education come into play, where sex education is seen to be responsible for synonymously promoting physical health, promoting personal autonomy, and

⁴⁰⁸ J. Wills, ‘Health Promotion: Not Drowning but Waving?’, J. Douglas, S. Earle, S. Handsley, L. Jones, C.E. Lloyd and S. Spurr (eds.), *A Reader in Promoting Public Health: Challenge and Controversy* (2nd ed.), Milton Keynes: The Open University, 2010, 62-67, 63.

⁴⁰⁹ See, for example, A. Cribb, ‘Ethics: From Health Care to Public Policy’, J. Douglas, L. Jones and M. Sidell (eds.), *The Challenge of Promoting Health: Exploration and Action* (2nd ed.), Basingstoke: Palgrave Macmillan, 2002, 261-273.

⁴¹⁰ A. Cribb and L. Jones, ‘Ethical Issues in Health Promotion’, J. Douglas, J. Katz and A. Peberdy (eds.), *Promoting Health: Knowledge and Practice* (2nd ed.), Basingstoke: Macmillan Press, 2000, 95-107, 95.

⁴¹¹ Blair and Monk, ‘Sex’, 42.

⁴¹² L. Ewles and I. Simnett, *Promoting Health: A Practical Guide* (2nd ed.), London: Scutari Press, 1992, 41.

⁴¹³ D. Seedhouse, *Health Promotion: Philosophy, Prejudice and Practice* (2nd ed.), Chichester: John Wiley and Sons, 2004, 79.

⁴¹⁴ B. Jennings, ‘Public Health and Civic Republicanism: Toward an Alternative Framework for Public Health Ethics’, A. Dawson and M. Verweij (eds.), *Ethics, Prevention and Public Health*, Oxford: OUP, 2007, 30-58, 31.

⁴¹⁵ K. Tones, ‘Health Education as Empowerment’, L. Jones, J. Katz, A. Peberdy and M. Sidell (eds.), *Debates and Dilemmas in Promoting Health: A Reader*, London: Macmillan Press, 33-42, 1997, 33.

promoting responsible sexual behaviour.⁴¹⁶ As Tilford and Tones suggest, ‘the concept of health promotion is rather like virtue: it means all things to all people – who are united only in their agreement that it is rather desirable’.⁴¹⁷

In formulating policy concerning the promotion of health, Andrew Tannahill warns that a liberal approach, centred on ‘informed’ and ‘evidence-based’ decision-making on its own, will fail to give sufficient attention to the exploration of ethical principles in deciding the appropriate action.⁴¹⁸ For when it comes to a vision of public health, it is impossible for the state to remain morally neutral on policy direction and practice; there are invariably certain behaviours that, at least on medical grounds, will be discouraged and, equally, those which will be promoted. As Tones suggests, it would be ‘either extremely cynical or extraordinarily naïve’ to suggest that health education should enable people to enjoy complete freedom of choice.⁴¹⁹

As such, it is essential to critique more closely the ethical recommendations that are explicitly and implicitly evident within the normative frameworks of health promotion and health education, in particular as they relate to young people’s sexual health, not least how the concepts of ‘health’ and ‘sexuality’ are shaping the moral narrative of policy discourse. Alan Cribb and Peter Duncan point out that health promotion is ‘complicated enormously’ when defined beyond the parameters of disease prevention, raising an ethical question over whether what is being exercised is in fact empowerment or control.⁴²⁰ In addressing the issue of teenage pregnancy, they suggest that the ethical dilemma for health promotion centres on whether policy and practice should be shaped solely to promote ‘informed choice’ and personal autonomy, or whether it should be directed towards the specific goal of reducing identified ‘harm’.⁴²¹ While the former may serve a liberal vision of ‘professional neutrality’, they point out that, in practice, this is impossible in the realms of public policy and health promotion: ‘Health promoters may take on the guise of neutrality, but this will only have the effect of

⁴¹⁶ See 2.2.

⁴¹⁷ Tilford and Tones, *Health Education*, 2.

⁴¹⁸ A. Tannahill, ‘Beyond Evidence - To Ethics: A Decision-Making Framework for Health Promotion, Public Health and Health Improvement’, *Health Promotion International*, Vol. 23, No. 4, 2008, 380-390. See also R. Marks and S.E. Shive, ‘The Influence of Ethical Theories in the Practice of Health Education’, *Health Promotion Practice*, Vol. 7, No. 3, July 2006, 287-288; D. Raphael, ‘The Question of Evidence in Health Promotion’, *Health Promotion International*, Vol. 15, No. 4, 2000, 355-367; C. Sindall, ‘Does Health Promotion need a Code of Ethics?’, *Health Promotion International*, Vol. 17, No. 3, 2002, 201-203.

⁴¹⁹ Tones, ‘Health’, 36.

⁴²⁰ A. Cribb and P. Duncan, *Health Promotion and Professional Ethics*, Oxford: Blackwell, 2002, 39.

⁴²¹ Cribb and Duncan, *Health*, 73.

obscuring the values they serve'.⁴²² In effect, R.S. Downie, Carol Tannahill and Andrew Tannahill admit that health promoters are 'committed by their profession' to promoting certain attitudes, values and ways of living that are deemed better or worse.⁴²³

In expounding a public vision of sexual health promotion, it is important to note the implicit value judgements that have shaped a political vision of sexual health. For example, Eli Coleman charts the infiltration of public health discourse with the ideas developed within the field of sexology, which not only drew normative conclusions on human sexuality from behavioural observations, but translated those conclusions into policy recommendations.⁴²⁴ With the moral imperative centred on promoting the self-actualisation of sexual preference, the proponents of the scientific study of sexuality identified a danger in associating any one normative understanding of sex as 'healthy' and, instead, through international policy strategies for sexual health promotion, 'reaffirmed the concept of wellbeing and the absence of disease, dysfunction and infirmity'.⁴²⁵

In view of this influence, a socially constructed normative framework for sexual health policy is evident within the current WHO working definition of sexual health⁴²⁶ for, as I will explore in Chapter 4, policy discourse on sexual health has been informed by a normative understanding of sex, shaped by the ontological commitments of a select group of physicians, in the guise of 'neutral' empirical observations. In addition, a socially constructed notion of 'sexual health' at national policy level adds to the moral complexity of policy discourse. For alongside sexual health services, 'relationships' is viewed as part of the Government's advice and services, as expressed in the *Framework* document: 'Sexual health covers the provision of advice and services around contraception, relationships, sexually transmitted infections (STIs) (including HIV) and abortion'.⁴²⁷

⁴²² Cribb and Duncan, *Health*, 76.

⁴²³ R.S. Downie, C. Tannahill and A. Tannahill, *Health Promotion: Models and Values* (2nd ed.), Oxford: OUP, 1996, 171.

⁴²⁴ E. Coleman, 'From Sexology to Sexual Health', P. Aggleton and R. Parker (eds.), *Routledge Handbook of Sexuality, Health and Rights*, Abingdon: Routledge, 2010, 135-144.

⁴²⁵ Coleman, 'From', 138.

⁴²⁶ 'a state of physical, emotional, mental and social well-being in relation to sexuality; it is not merely the absence of disease, dysfunction or infirmity. Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. For sexual health to be maintained, the sexual rights of all persons must be respected, protected and fulfilled' (WHO, 'Defining Sexual Health', (http://www.who.int/reproductivehealth/topics/sexual_health/sh_definitions/en/index.html); accessed 16.08.14).

⁴²⁷ DoH, *Framework*, 7.

Invariably, there can be no morally neutral, evidenced-based, understanding of ‘relationships’. The importance of an existing public ethic emerges, in giving shape to the content of a sexual relationship. For example, beyond the ‘absence of unintended physical outcomes’, Roger Ingham and Nicole Stone suggest the characteristics of ‘sexually healthy society’ include:

positive psychological outcomes of sexual activity, high levels of mutuality and respect both in relation to partners and to the variety of sexual preferences and, although this seldom discussed in policy and programmatic (or even academic) deliberations, some recognition of the role of pleasure.⁴²⁸

It is evident, therefore, that sexual health policy outcomes are not simply defined or driven by physical health outcomes, i.e. the absence of unwanted pregnancy or disease, but by a vision of well-being and human flourishing.⁴²⁹ This highlights the complexity of evaluating public health interventions.⁴³⁰ For example, according to the vision of ‘relationships’ envisioned in the Government’s *Framework* policy, they note that ‘sexual relationships are essentially a private matter’.⁴³¹ As a consequence, ‘people should have the freedom to make their own decisions about the types of relationships they want’.⁴³² This echoes Archard’s moral position on sex education, with the moral pre-requisite being that the choice doesn’t harm anyone else.

Such a position highlights, however, what for O’Donovan is the ‘paradox’ in the liberal goal of freedom of action: ‘It follows that we conceive our freedom passively, as a freedom not to suffer, not to be imposed upon. It is the freedom of consumers, rather than participants’.⁴³³ Nevertheless, the Government sees it as their duty to promote this relational ‘freedom’ within sexual health, impacting on and shaping the moral framework within which SRE is understood. As I have noted already, this is a flawed premise from which to shape the moral framework of policy, for it not only wrongly presupposes that it is possible to make autonomous choices independent from the inevitable shaping of a particular moral context, it is also based on the false premise that

⁴²⁸ Ingham and Stone, ‘Young’, 193, 194.

⁴²⁹ ‘The Government wants to improve sexual health, and our ambition is to improve the sexual health and wellbeing of the whole population. To do this, we must: • reduce inequalities and improve sexual health outcomes; • build an honest and open culture where everyone is able to make informed and responsible choices about relationships and sex; and • recognise that sexual ill health can affect all parts of society – often when it is least expected’ (DoH, *Framework*, 4).

⁴³⁰ J. Douglas, S. Earle, C. Lloyd and M. Sidell, ‘Evaluating Public Health Interventions’, S. Earle, C. Lloyd, M. Sidell and S. Spurr (eds.), *Theory and Research in Promoting Public Health*, London, SAGE, 2007, 327-354.

⁴³¹ DoH, *Framework*, 7.

⁴³² DoH, *Framework*, 7.

⁴³³ O. O’Donovan, *Begotten or Made?*, Oxford: OUP, 1984, 9.

Government can remain morally neutral on all sexual choices, even if only for the reasons of reducing ‘unhealthy’ outcomes of sexual behaviour.

Therefore, Seedhouse points to a false dichotomy, which is created within health promotion, between evidence and values, for ‘*a judgement about a person’s health necessarily depends upon evidence and the interpretation of that evidence*’.⁴³⁴ As such, ‘the evidence is not mute – but it never speaks entirely for itself’.⁴³⁵ Accordingly, where a government may wish to appear neutral in their approach to sexual health promotion, I affirm Seedhouse’s observation that ‘in all cases it is political philosophy (however implicit) which fires health promotion’.⁴³⁶ In addition, as noted already, it is moral philosophy that shapes the contours of political philosophy.

3.2.1 Promoting Teenage Sexual Health

In charting the historical development of SRE, it is clear that a significant motivating factor behind the introduction of policy and practice has been a public response to the ‘negative’ social consequences of young people’s sexual behaviour, in particular the occurrence of unplanned teenage pregnancy⁴³⁷ and a year-on-year rise in cases of STIs.⁴³⁸ Indeed, it is suggested that we should be concerned about young people exploring their sexuality on public health grounds, rather than necessarily on moral or religious ones.⁴³⁹ This is reflected in the current indicators for improved outcomes within *A Framework for Sexual Health Improvement in England*, where two of the three prioritized indicators are concerned directly with teenage sexual health: ‘under-18 conceptions’ and ‘chlamydia diagnoses (15-24-year-olds)’.⁴⁴⁰ These are the identified ‘harms’ of teenage sexual behaviour, the costs of which are taken into account in any utilitarian calculus⁴⁴¹ of the right policy approach towards teenage sexual behaviour,

⁴³⁴ Seedhouse, *Health*, 89.

⁴³⁵ Seedhouse, *Health*, 89.

⁴³⁶ Seedhouse, *Health*, 91.

⁴³⁷ For those working in the field of public health, ‘teenage pregnancy’, according to Catherine Dennison and Alison Hadley, refers to ‘conceptions in young women under 20 which end in live birth or abortion’ (C. Dennison and A. Hadley, ‘Teenage Pregnancy’, L. Ewles (ed.), *Key Topics in Public Health. Essential Briefings on Prevention and Health Promotion*, London: Elsevier, 2005, 135-156, 136).

⁴³⁸ Davidson and Sauerteig, ‘Shaping’, 8.

⁴³⁹ Ingham and Stone, ‘Young’, 193.

⁴⁴⁰ DoH, *Framework*, 7.

⁴⁴¹ Alan Cribb and Linda Jones point to utilitarian principles as those most favoured within health promotion (Cribb and Jones, ‘Ethical’, 98). J.S. Mill (1806-1873), following on from the earlier work of Jeremy Bentham (1748-1832), constructed the moral philosophy of utilitarianism, based on the ‘principle of utility’ or the ‘greatest-happiness principle’. According to this reductionist theory, the moral standard of an action is defined ultimately by the pleasure or happiness that it promotes (J.S., Mill, ‘Utilitarianism’, A. Ryan (ed.), *John Stuart Mill and Jeremy Bentham: Utilitarianism and Other Essays*, London: Penguin Books, 2004 [1871], 272-338). Mill’s conception of happiness was not just concerned with the individual

where the moral prerogative is one of maximising welfare. As such, a public-health-directed SRE programme will measure effectiveness by a fall in so-called ‘risky’ behaviours and negative physical health outcomes.⁴⁴² Utilitarianism, suggests Will Kymlicka, is attractive as a theory of political morality, as it ‘conforms to our intuition that human well-being matters, and to our intuition that moral rules must be tested for their consequences on human well-being’.⁴⁴³

While teenage pregnancy and childbirth are an age-old phenomenon, they have increasingly been constructed as an issue of public concern in the West.⁴⁴⁴ As such, when it comes to addressing the ‘problem’ of teenage pregnancy, Britain, it is claimed, has ‘one of the more advanced and long-running initiatives of its kind in the developed world’.⁴⁴⁵ In light of this public concern, education is seen to play a central role in public policy approaches to addressing behaviours considered ‘unhealthy’. This accords with Archard’s ‘social reasons’ for teaching sex in school.⁴⁴⁶ Where ignorance was viewed within New Labour’s *Teenage Pregnancy: Report by the Social Exclusion Unit* as one of the root causes of the ‘problem’ of teenage pregnancy,⁴⁴⁷ improved education was judged to be a key mode of prevention or damage limitation. Stopping teenage girls getting pregnant, Reiss points out, was, in fact, one of the earliest aims of sex education.⁴⁴⁸ As such, sexual health promotion has become a central justification for the provision of SRE, where New Labour believed their policy agenda was moving away

in isolation, but his place within wider society: ‘I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being’ (Mill, ‘Liberty’, 17). As such, Roger Crisp points out that his view of social morality as presented in *Utilitarianism* has been deemed irreconcilable with his view of individual liberty in *On Liberty* (Crisp, Mill, 174). However, the justification for societal interference in individual pursuits is defensible solely on the basis that an individual’s conduct is harmful to others. This is echoed in Archard’s position on sexual morality.

⁴⁴² See, for example, I. Abubakar, P.R. Hunter, P. Phillips-Howard, R. Vivancos, ‘School-based Sex Education is Associated with Reduced Risky Sexual Behaviour and Sexually Transmitted Infections in Young Adults’, *Public Health*, Vol. 127, 2013, 53-57.

⁴⁴³ W. Kymlicka, *Contemporary Political Philosophy: An Introduction* (2nd ed.), Oxford: OUP, 2002, 12.

⁴⁴⁴ UNICEF records teenage fertility rates under the category of risk taking behaviours. Out of the 29 countries reported upon, the UK, behind Romania and the US, had the third highest rate of teenage births (above 29 per 1000) (UNICEF, ‘Child Well-being in Rich Countries: A Comparative Overview’, *Innocenti Report Card 11*, Florence: UNICEF Office of Research, 2013, 26).

⁴⁴⁵ L. Arai, *Teenage Pregnancy: The Making and Unmaking of a Problem*, Bristol: The Policy Press, 2009, 3.

⁴⁴⁶ See 2.2.

⁴⁴⁷ Low expectations and mixed messages were the other two ‘stand out’ factors (Social Exclusion Unit, *Teenage Pregnancy: Report by the Social Exclusion Unit*, London: HMSO, 1999, 7). *New Labour’s* report, launched in 1999, is arguably the most detailed policy discussion and action plan on teenage pregnancy to date in England. Of course, as Arai points out, this is not to suggest that it was not viewed as a problem before 1997, e.g. the Tories’ Health of the Nation (HOTN) initiative, which ran from 1992-1997, or indeed, that it is not still judged to be an issue of concern (Arai, *Teenage*, 4).

⁴⁴⁸ Reiss, ‘What’, 126.

from one of moral judgment to one of evidence-based practice.⁴⁴⁹ As Helen Stapleton observes, ‘what had been portrayed as a moral problem was now (re)presented as a technical, or scientific, problem’.⁴⁵⁰

As already noted, an evidenced-based approach to policy making falsely pre-supposes the possibility of achieving a value-neutral stance on sexual behaviour within policy discourse. For while it might be assumed that matters of health are devoid of value judgements, that the subject matter of health promotion ‘just *is* a problem’,⁴⁵¹ health ‘problems’ like teenage pregnancy are only problematic to the extent that they do not correspond with a vision of well-being, human flourishing and societal ‘good’.⁴⁵² For example, Janet Shucksmith argues that constructing young people’s sexual behaviour within policy as problematic is *itself* problematic, for experimenting in various behaviours is a normal part of the transition to adulthood from which the majority of young people emerge ‘no worse for wear’.⁴⁵³

Therefore, where young people engaging in sexual behaviour might be presumed a natural part of their overall development,⁴⁵⁴ or, indeed, the inevitable result of a changing socio-cultural reality,⁴⁵⁵ and where the combination of SRE programmes and the provision of contraceptive services is judged as ‘essential to enable the young to reach adulthood without the burden of early pregnancy’,⁴⁵⁶ therein lie implicit value judgements which are not justified solely on physical health outcomes, nor are they

⁴⁴⁹ In light of this, it is interesting to note Trowler’s critique of New Labour’s education policy and four key lessons that he identifies need to be learnt; first, a recognition that education cannot solve all of society’s ills; secondly, the need for clear guidance on the intended outcomes of the policy; thirdly, the need for central direction but local flexibility in implementation; fourthly, that it is neither possible nor preferable to avoid ideological thinking in policy making (Trowler, *Education*, 164). Our own critique identifies particularly with his fourth one.

⁴⁵⁰ H. Stapleton, *Surviving Teenage Motherhood: Myths and Realities*, Basingstoke: Palgrave MacMillan, 2010, 16.

⁴⁵¹ Seedhouse, *Health*, 80.

⁴⁵² As such, particular concern is expressed over lifestyle choices; see I. Cooke and G. Rabie, ‘Public Health and Young People’, M. Mabhala and F. Wilson (eds.), *Key Concepts in Public Health*, London: SAGE, 2009, 246-251.

⁴⁵³ J. Shucksmith, ‘A Risk Worth the Taking: Sex and Selfhood in Adolescence’, E. Burtney and M. Duffy, *Young People and Sexual Health: Individual, Social, and Policy Contexts*, Basingstoke: Palgrave Macmillan, 2004, 5-14, 12.

⁴⁵⁴ See 2.2.1.

⁴⁵⁵ On accounting for the changes in young people’s sexual activity, including its earlier onset, Ingham and Stone suggest the following: ‘There are various reasons why these changes are occurring; among these are the general trend in most countries towards an increasing age of marriage coupled with reduction in the age of menarche, leading to a longer period of potential sexual activity outside of regular relationships (although these by no means guarantee safety from risk), increased exposure to global media (including the Internet) leading to greater exposure to more sexual content, internal migration from rural to urban settings, thereby removing some young people from their traditional forms of social (and sexual) control, and others’ (Ingham and Stone, ‘Young’, 193).

⁴⁵⁶ WHO, *Euro*, 5.

determined by a social utility calculus. Of course, policy objectives also depend on the definition of health that any given culture chooses to adopt at any given time, reflecting an over-riding vision of well-being.⁴⁵⁷

A continued reduction of under-16 and under-18 conception rates remains a key priority in the current Government's ambitions for sexual health improvement, where social, economic and health reasons are given to justify why teenage pregnancy remains problematic.⁴⁵⁸ It is clear that policy discourse and value judgements concerning teenage sexual behaviour extend beyond the parameters of disease prevention. Faced with the economic and social fall-outs from teenage parenthood, identified as both a cause and a consequence of teenage pregnancy,⁴⁵⁹ it would appear that socio-economic values have dominated political discourse in recent years, with the prevention of social exclusion becoming the focal point for government intervention.⁴⁶⁰ Although not wanting to 'condone'⁴⁶¹ young people engaging in underage sex, the 'clear and consistent message',⁴⁶² which was to flow from New Labour's policy, was the emphasis on the socio-economic 'cost' of pregnancy and parenthood for teenagers.⁴⁶³ Lisa Arai points out that New Labour reframed the problem by defining teenage mothers as 'dependents' rather than 'deviants'.⁴⁶⁴

At the heart of the 'problem' of teenage pregnancy, suggest Cribb and Duncan, is an ill-defined moral judgement: 'There is nothing wrong with teenage pregnancy *per se*. It is an indirect label for a whole cluster of issues which require separate consideration'.⁴⁶⁵ This appears to reflect an ill-defined and incoherent public moral judgement on teenage sexual behaviour more broadly. Indeed, it is particularly noteworthy that many of the

⁴⁵⁷ Scriven notes the development of different professional and political models, concepts and dimensions of health (Scriven, *Promoting*, 5-7).

⁴⁵⁸ DoH, *Framework*, 37, 38.

⁴⁵⁹ S. Cunningham-Burley and S. MacIntyre, 'Teenage Pregnancy as a Social Problem: A Perspective from the United Kingdom', A. Lawson and D.L Rhode (eds.), *The Politics of Pregnancy: Adolescent Sexuality and Public Policy*, London: YUP, 1993, 59-73, 71.

See Boydell and MacKellar, *Informing*, 25-42, for an account of other factors, beyond socio-economic ones, which are given for explaining the initiation of teenage sexual activity, including biological, psychological, and familial factors.

⁴⁶⁰ See Tony Blair's 'Forward' in Social Exclusion Unit, *Teenage*, 4, 5.

⁴⁶¹ Social Exclusion Unit, *Teenage*, 5.

⁴⁶² Social Exclusion Unit, *Teenage*, 5.

⁴⁶³ In 2004, the Health Development Agency reported that teenage pregnancy among under-18s costs the NHS alone an estimated £63 million a year (*Teenage Pregnancy: An Overview of the Research Evidence*, http://www.nice.org.uk/niceMedia/documents/teenpreg_evidence_overview.pdf; accessed 13.03.13).

⁴⁶⁴ Arai, *Teenage*, 131.

⁴⁶⁵ The issues they list include 'underage sex, unintended pregnancy, unwanted pregnancy, sex outside of stable relationships, abortion, single parenthood, unwaged parenthood and unmarried motherhood' (Cribb and Duncan, *Health*, 67).

issues that define teenage pregnancy as problematic are judged equally problematic for women of other ages.⁴⁶⁶ Stapleton suggests that many teenage mothers are not only biologically in their prime, in terms of their reproductive capacity, but many are ‘better supported by kinship networks than their older, more affluent, contemporaries’.⁴⁶⁷ In light of this, she suggests that concerns over young motherhood ‘may have less to do with qualms about their welfare and more to do with sexual double standards’.⁴⁶⁸ Such an observation highlights the dominance of the moral narrative in shaping policy outcomes.

3.3 Educating for Health: ‘Maximizing Welfare’

In response to teenage sexual behaviour and its implications for sexual health, a core educative role for the state has emerged, dismissing any remaining ambiguity about state neutrality. Tilford and Tones suggest that the concept of health promotion can be distilled into an ‘essential “formula”’ – ‘Health Promotion = Health Education x Healthy Public Policy’.⁴⁶⁹ Katherine Weare notes that the processes of health education and health promotion are perceived to be forever ‘intertwined’, with the moral requisite that empowerment remains the central goal, primarily achieved by securing the autonomy of the individual.⁴⁷⁰ As such, the ‘symbiotic relationship’,⁴⁷¹ observed by Tilford and Tones between health education and health promotion policy, serves towards achieving this end.

However, while complementary in their nature, Richard Farmer and Ross Lawrenson suggest that the concepts of health education and health promotion are ‘not synonymous’.⁴⁷² Downie et al. note the fact that ‘several currents of thought and concern flow into health promotion’, in which they recognise that ‘medical values of public health, and the educational values of traditional health education, mingle with newer values of consumerism and “getting the message across”’.⁴⁷³ It is clear, at least, that an increased emphasis has been placed on the role of schools in promoting health.

⁴⁶⁶ Cunningham-Burley and MacIntyre, ‘Teenage’, 65.

⁴⁶⁷ Stapleton, *Surviving*, 21.

⁴⁶⁸ Stapleton, *Surviving*, 21.

⁴⁶⁹ Tilford and Tones, *Health Education*, 7.

⁴⁷⁰ K. Weare, ‘The Contribution of Education to Health Promotion’, R. Bunton and G. Macdonald (eds.), *Health Promotion: Disciplines, Diversity and Development* (2nd ed.), Abingdon: Routledge, 2002, 102-125, 120.

⁴⁷¹ Tilford and Tones, *Health Education*, 7.

⁴⁷² R.D.T. Farmer and R. Lawrenson, *Lecture Notes on Epidemiology and Public Health Medicine* (5th ed.), Oxford: Blackwell, 2004, 96.

⁴⁷³ Downie et al., *Health*, 154.

Although school-based health education is not a new phenomenon, recent decades have witnessed a broadening of the scope of health education and the growing influence of the school as a setting for health promotion, with the developing concept of the ‘health promoting school’.⁴⁷⁴ While it is recognised that school provides a ‘captive audience’ for preventative health messages, Tones points out that teachers and educationalists express concern over schools being used for medical rather educational endeavours.⁴⁷⁵ As such, in assessing the school as a setting for health promotion, Colin Noble and Marilyn Toft note that one of the challenges evident in policy discourse is that ‘there is no clear agreement about what schools are for’.⁴⁷⁶

As a consequence of the fact that health education in the UK has evolved in close association with public health objectives, Jennifer Harrison suggests that it lacks the roots of a distinct pedagogy and is, therefore, vulnerable to the winds of moral and political change.⁴⁷⁷ She notes three common approaches to health and sex education in UK schools: a disease-orientated approach, a focus on risk factors, and a health-orientated approach. She observes that many programmes are often a combination of the first two, while neglecting the third, in which a positive view of health in terms of the physical, social and mental well-being of the individual is promoted.⁴⁷⁸ These approaches are consistent, she points out, with a medical model of health that is largely preventative in nature, but does not reflect the models of health education that have historically shaped programme content in which the themes of morality and citizenship have remained dominant.⁴⁷⁹ A ‘medical model’, agrees Tones, is criticized for its ‘relatively narrow and partial interpretation of human health and illness’.⁴⁸⁰ In reality, however, although self-determination is the perceived moral ideal, governments seek to empower individuals towards a vision of public health, where health education, working

⁴⁷⁴ For an historical background, and an exploration of ideological and conceptual frameworks for a ‘health promoting school’, see, for example, S. Denman, A. Moon, C. Parsons and D. Stears, *The Health Promoting School: Policy, Research and Practice*, London: RoutledgeFalmer, 2002; A. Beattie, ‘The Health Promoting School: From Idea to Action’, J. Orme and A. Scriven (eds.), *Health Promotion: Professional Perspectives*, Basingstoke: Macmillan Press, 1996, 129-143; C. Noble and M. Toft, ‘How Effective are Schools as a Setting for Health Promotion?’, M. Hodgins and A. Scriven (eds.), *Health Promotion Settings: Principles and Practice*, London: SAGE, 2012, 140-152; G. Rabie, ‘Public Health and the Schools Community’, M. Mabhala and F. Wilson (eds.), *Key Concepts in Public Health*, London: SAGE, 2009, 241-246.

⁴⁷⁵ Tones, ‘Health’, 8.

⁴⁷⁶ Noble and Toft, ‘How’, 144.

⁴⁷⁷ J.K. Harrison, *Sex Education in Secondary Schools*, Buckingham: Open University Press, 2000, 3.

⁴⁷⁸ Harrison, *Sex*, 4-5.

⁴⁷⁹ Harrison, *Sex*, 6.

⁴⁸⁰ K. Tones, ‘Health Promotion, Affective Education and the Personal-Social Development of Young People’, K. David and T. Williams (eds.), *Health Education in Schools (2nd ed.)*, London: Harper and Row, 1987, 3-45, 6.

in partnership with policy development, creates a health public policy in which, according to Tone, 'the healthy choice is the easy choice'.⁴⁸¹ The implication, in terms of meeting policy objectives, is that success can only be assessed when a clearer understanding of the values and goals of both public health and health education are articulated.⁴⁸²

In observing the evolution of 'health education', Pring notes with concern how the subject had uncritically embraced moral content.⁴⁸³ A conceptual understanding of health education had widened beyond the initial scientific remit accorded to an understanding of physical health, to include concerns which were 'increasingly of a social, "life-enhancing" and moral kind'.⁴⁸⁴ In view of this shift, it is noted that sex education, in particular, is a topic of health education that is particularly value-laden.⁴⁸⁵ However, as I have noted, these are subjects that are inevitably value-laden, due to the very nature of education and the corresponding vision of human flourishing that is embedded in policy and practice. It is evident that Pring's critique of health education is directed against, in particular, what he regarded as the 'false and dangerous' position of moral autonomy.⁴⁸⁶ Likewise, while emphasising the place of autonomy in health education, Alastair Campbell does not deny the place of persuasion in education, and the 'dangerous naiveté' in putting faith in 'purely rationalistic and individualist methods of health education'.⁴⁸⁷

Nevertheless, it is important to note that, from its inception, the spirit of a liberal education was one which fostered the pursuit of individual moral inquiry and respected the freedom of the individual to determine and follow their own moral path, where freedom was to be curtailed only on account of preventing harm to self and others.⁴⁸⁸

⁴⁸¹ Tones, 'Health', 41.

⁴⁸² See, for example, the goals of health education articulated by G. Rose, *The Strategy of Preventative Medicine*, Oxford: OUP, 1992, 116-118.

⁴⁸³ R. Pring, 'Education as Health Promotion: An Educational Perspective', G. Campbell (ed.), *Health Education, Youth and Community: A Review of Research and Developments*, Lewes: The Falmer Press, 1987, 14-20, 15.

⁴⁸⁴ Pring, 'Education', 17.

⁴⁸⁵ M.J. Reiss, 'Food, Smoking and Sex: Values in Health Education', J.M. Halstead and M.J. Taylor (eds.), *Values in Education and Education in Values*, London: The Falmer Press, 1996, 92-103, 100.

⁴⁸⁶ 'There is something odd about asking people to reason for themselves when there are no criteria for good and bad reasoning; and there is something dangerously misleading about the promotion of decision-making as if this can take place outside of a moral form of life, a set of moral idioms, which are more or less adequate for the problems that young people are faced with' (Pring, 'Education', 17).

⁴⁸⁷ A.V. Campbell, 'Education or Indoctrination? The Issue of Autonomy in Health Education', S. Doxiadis (ed.), *Ethics in Health Education*, Chichester: John Wiley and Sons, 1990, 15-27, 22.

⁴⁸⁸ Mill's liberal theory of education championed the contribution that the emerging moral knowledge, independently chosen, would make to social utility (J.S. Mill, *Inaugural Address: Delivered to the University of St. Andrews, Feb. 1st 1867*, London: Longmans, Green, Reader and Dyer, 1867, 39).

However, as Richard Barrow and Ronald Woods point out, while this spirit of self-determination is restricted, ‘the real question is what one regards as constituting harm to the child, and what one regards as interference with the freedom of others’.⁴⁸⁹ This can only be determined, they suggest, by pointing to ‘one’s overall view of what education is and what it is for’.⁴⁹⁰

Current health-related issues of social and political concern are embedded within the guidance framework of PSHE,⁴⁹¹ shaped by the liberal moral narrative evident in SRE policy discourse: ‘Good PSHE supports individual young people to make safe and informed choices’.⁴⁹² Current *SRE Guidance* states: ‘The new PSHE framework will help pupils develop the skills and understanding they need to live confident, healthy and independent lives’.⁴⁹³ As such, when it comes to the norms that continue to shape health education, it is evident that individual empowerment, through the maximisation of autonomy, is the ethical goal to which public health policy and, in particular, health promotion has been directed. Ronald Dworkin makes a distinction between liberty and the ‘richer notion’ of autonomy. Whereas liberty is ‘conceived either as mere absence of interference or as the presence of alternatives’, autonomy, he suggests, ‘is tied up with the idea of being a subject, of being more than a passive spectator of one’s desires and feelings’.⁴⁹⁴

Consequently, in observing the dominance of issues such as teenage pregnancy and substance misuse over broader issues pertaining to personal and social education, Haydon notes the reluctance of teachers to pronounce moral judgements on young

Utilitarian thinking placed great merit on the possibilities of knowledge in the empirical sciences advancing society and increasing human happiness; the moral influence of the Church, on the other hand, was regarded as a suppressive influence, stifling the possibilities of free inquiry (E. Anderson, ‘John Stuart Mill: Afterword’, S.M. Cahn (ed.), *Philosophy of Education: The Essential Texts*, London: Routledge, 2009, 355-360, 358). This is consistent with what John Rawls highlights to be the desire among early proponents of modern moral philosophy to find a basis for moral knowledge, and derive concepts and principles that were independent of Church authority (J. Rawls, *Lectures in the History of Moral Philosophy*, B. Herman (ed.), London: HUP, 2000, 8).

⁴⁸⁹ R. Barrow and R. Woods, *An Introduction to Philosophy of Education* (4th ed.), London: Routledge, 2006, 105.

⁴⁹⁰ Barrow and Woods, *Introduction*, 105.

⁴⁹¹ <https://www.gov.uk/government/publications/personal-social-health-and-economic-education-pshe/personal-social-health-and-economic-pshe-education>; accessed 07.07.14.

⁴⁹² Department for Education, *Importance*, 46.

⁴⁹³ DfEE, *Sex*, 3.

⁴⁹⁴ R. Dworkin, *The Theory and Practice of Autonomy*, Cambridge: CUP, 1988, 107. Peters makes a similar observation in his analysis of autonomy and freedom in education: ‘In education, however, we are usually concerned with more than just preserving the capacity for choice; we are also concerned with the ideal of personal autonomy, which is a development of some of the potentialities inherent in the notion of man as a chooser’ (R.S. Peters, *Moral Development and Moral Education*, London: George Allen and Unwin, 1981, 123).

people's behaviour.⁴⁹⁵ This is reflected in the 2010 Ofsted report on PSHE in schools, which noted that while students' knowledge on contraception and the biology of sex was good, they were less able to discuss issues pertaining to relationships, inhibited by teachers' lack of engagement and knowledge on the issues.⁴⁹⁶ In addition, where Haydon observes a strong association being drawn between personal and social education and moral education on the one hand, he also points to calls for the 'removal of explicit moral content' on the other.⁴⁹⁷ This invariably creates a climate of confusion for the educator. Traditionally, teachers might have been regarded as failing to execute their jobs properly if they had not acted in a way that promoted and transmitted certain moral norms and values; Carr points out that this conception of teaching has largely changed.⁴⁹⁸ For some, such an approach may be regarded as 'unprofessional', breaching a liberally motivated 'ethics of impartiality' when it comes to moral values and virtues.⁴⁹⁹

However, as Halstead and Reiss point out, while the core values of freedom and rationality may be dependent on state impartiality, they are also dependent at the very least on the individual exercising tolerance and respect, securing the equal rights of all.⁵⁰⁰ For example, the Health Development Agency issued guidance for professionals on effective interventions around teenage pregnancy which majored on securing personal values. It was acknowledged that young people come from a diversity of social and cultural backgrounds, and, therefore, prescribe to different sets of attitudes, values and beliefs. In line with equal opportunities, effective health and education interventions should be tailored to meet this infinite range of needs.⁵⁰¹ In addition, improved health service provision for young people, it was proposed, includes an acceptance of young people's choices; practitioners are encouraged to adopt a 'non-judgemental, friendly and supportive' approach.⁵⁰² The ultimate aim of the intervention is to ensure that the young

⁴⁹⁵ Haydon, 'Personal', 509.

⁴⁹⁶ Ofsted, *Personal, Social, Health and Economic Education in Schools*, Manchester: Ofsted, 2010, 14.

⁴⁹⁷ Haydon, 'Personal', 508, 509.

⁴⁹⁸ Carr, *Making*, 68.

⁴⁹⁹ Carr, *Making*, 68.

Nevertheless, Carr points out that even a libertarian educator recognises that there are limits to their stance on impartiality. Even they recognise that lines of moral acceptability are breached when personal moral values infringe on the rights of others or own shared practices of civil society (Carr, *Making*, 70).

⁵⁰⁰ Halstead and Reiss, *Values*, 59.

⁵⁰¹ Health Development Agency, *Teenage Pregnancy: An Update on Key Characteristics of Effective Interventions*, London: Health Development Agency, 2001, 1, (<http://www.nice.org.uk/niceMedia/documents/teenpreg.pdf>; accessed 20.09.13).

⁵⁰² Health Development Agency, *Teenage*, 4.

person has the self-awareness and self-confidence to both ‘take responsibility for their own health and share responsibility for other people’s health’.⁵⁰³

Therefore, while Downie et al. may promote the ‘individual and personal values’ which they associate with the concept of autonomy and its role in human flourishing,⁵⁰⁴ they also point to the ‘necessary social values’, which they consider ‘*must* be widely shared for the continuance of society’.⁵⁰⁵ These they equate with the characteristics that define our human nature and our environment and, as such, identify four basic principles that derive from reaching a consensus of values: non-maleficence, beneficence, justice and utility.⁵⁰⁶ As such, the state inevitably makes judgements in line with their vision of health and well-being, in particular what is judged to achieve the greatest social utility, invariably shaped by the current cultural metanarrative. For in seeking to promote the autonomy of the individual through a liberal policy approach, the government is not just concerned with empowering individuals, but with the welfare of the wider population.

As the current policy position states: ‘Good sexual health is important to individuals, but it is a key public health issue as well’.⁵⁰⁷ This necessitates a public value judgment on the place of sexual health in a vision of the common good. As such, Beauchamp argues that ‘highly important’ collective goods involve shared or common beliefs and values.⁵⁰⁸ However, Seedhouse warns that beyond ‘medical health’ and ‘social health’, ‘good life promotion’, which, he suggests, is evident in the vision of Downie et al., ‘is an *illegitimate* extension of health promotion’.⁵⁰⁹ This, he suggests, is a matter of opinion, not one of objectivity.⁵¹⁰ However, I would affirm that ‘good life promotion’ is an inevitable outcome of policy discourse.

For example, the Health Development Agency, in seeking to communicate a ‘clear and consistent value message’ with regards to young people and sexual relationships, went as far as judging certain messages to be ‘wrong’, for example, ‘do not have sex’.⁵¹¹ Such a message could be viewed as promoting a prescriptive rather than an enabling

⁵⁰³ Health Development Agency, *Teenage*, 2. For a discussion on the moral duty to act responsibly see J. Harris and S. Holm, ‘Is there a Moral Obligation not to infect others?’, *British Medical Journal*, Vol. 331, November 1995, 1215-1217.

⁵⁰⁴ Downie, Tannahill and Tannahill, *Health*, 161-164.

⁵⁰⁵ Downie, Tannahill and Tannahill, *Health*, 158.

⁵⁰⁶ Downie, Tannahill and Tannahill, *Health*, 161.

⁵⁰⁷ DoH, *Framework*, 2.

⁵⁰⁸ D. Beauchamp, ‘Life-style, Public Health and Paternalism’, S. Doxiadis (ed.), *Ethical Dilemmas in Health Promotion*, Chichester; John Wiley & Sons, 1987, 69-80, 72.

⁵⁰⁹ Seedhouse, *Health*, 108.

⁵¹⁰ Seedhouse, *Health*, 111.

⁵¹¹ Health Development Agency, *Teenage*, 2. NB. Inverted commas used in original text.

value, a negative rather than a positive message. Indeed, the Health Development Agency defended their partial position by claiming that such a message ‘excludes young people who are, or who have been, sexually active, has a limited life-span and could conflict with other interventions aiming to promote safer sexual behaviours’.⁵¹²

This ‘health’ position, however, presupposes an inevitability around young people engaging in sexual relationships, and thus makes a corresponding value judgement on the appropriate message. In general, critics of an abstinence approach to sex education claim that it is not informed by the expressed needs of children and young people, and therefore has as its starting point a particular values framework.⁵¹³ In contrast, it is suggested that health discourse does not view sex as ‘intrinsically unhealthy’, only potentially ‘unsafe’, and recognizes young people as embodied sexual agents.⁵¹⁴ As such, the provision of medical and legal information on how to avoid unplanned pregnancy, which young people have a ‘right to know’, is ‘morally neutral’,⁵¹⁵ while abstinence-only education has been deemed discriminatory against children, amounting to ‘childism’.⁵¹⁶

What this discourse wrongly presupposes is that it is possible to start from a position of moral neutrality on sexual behaviour; it also presupposes that all young people are, or wish to be, sexually active, or indeed, that not having sex is an undesirable, unnecessary or impossible goal. What is clear is that this value position inadvertently reflects a certain attitude towards child sexuality, where a young person engaging in sexual activity is regarded as a normal and inevitable stage in their development;⁵¹⁷ the promotion of abstinence, as a consequence, is viewed as an obstacle rather than an option in the promotion of ‘safer’ sexual behaviours. Indeed, it is viewed by some as unfair, if not impossible to promote such behaviour change in young people who are already sexually active.⁵¹⁸ Such a value judgement has clearly moved well beyond an

⁵¹² Health Development Agency, *Teenage*, 2.

⁵¹³ Blake and Frances, *Just*, 9. See also R. Ingham and T. Stammers, ‘For and Against: Doctors Should Advise Adolescents to Abstain from Sex’, *British Medical Journal*, Vol. 321, December 2000, 1520-1522.

⁵¹⁴ Alldred and David, *Get*, 118.

⁵¹⁵ Alldred and David, *Get*, 110.

⁵¹⁶ C. Greslé-Favier, ‘Adult Discrimination against Children: The Case of Abstinence-Only Education in Twenty-First-Century USA’, *Sex Education*, Vol. 13, No. 6, 2013, 715-725, 715.

⁵¹⁷ See, for example, R.D. Egan and G.L. Hawkes, ‘Why a History of Childhood Sexuality?’, P. Aggleton and R. Parker (eds.), *Routledge Handbook of Sexuality, Health and Rights*, Abingdon: Routledge, 2010, 127-144.

⁵¹⁸ Blake and Frances, *Just*, 44.

intervention focussed on disease prevention and, indeed, the aspiration of maintaining professional neutrality.

In seeking to secure the promotion of liberal values, the Health Development Agency suggested that an inclusive message may be one such as ‘it’s OK to say no’, reflecting the values of self-determination and respect for others. While such a message will be viewed as commendable in the measure to which it upholds the universal principles of freedom and respect, it highlights the weakness of a purely liberal approach, in that it gives no guidance on when or under what circumstances it would be right, or at least prudent, to say no; it simply affirms that the young person has the freedom to do so. Conversely, when and under what circumstances is it morally prudent to say yes? As Taylor notes, within our contemporary ethic, ‘choice’ has become ‘a prime value, irrespective of what it is a choice between, or in what domain’.⁵¹⁹ Nevertheless, while it appears that the state remains largely impartial on when and in what context young people have sex, taking into account, of course, parameters set down by the law⁵²⁰ and the ethical recommendations of liberalism, it does not remain impartial on how. Regarding the perceived health risks young people take in having sex and the ‘harm’ that arises as a consequence, public concern and intervention is justified on the grounds of health protection.⁵²¹ As such, particular focus within sexual health promotional messages is given to the promotion of ‘safer’ sex.

However, on the basis of earlier reasoning around the need for an ‘inclusive’ value message, it could equally be argued that ‘wear a condom’ might be understood as a negative, exclusive value message and equally ‘wrong’. While conflicting directly with, for example, Catholic moral teaching, it also presumes the inevitability of sexual experimentation, and therefore excludes those young people who are not, or who have not been, sexually active. It may also be seen to conflict with interventions that encourage young people to delay sexual activity for a future, monogamous relationship. Hauerwas suggests that it’s the ‘realist’ that adopts the view that young people having sex is an inevitability. Believing that they are adopting an amoral position, or at the very least a non-moralistic position, he points out, however, that their position ‘presupposes

⁵¹⁹ Taylor, *Secular*, 478.

⁵²⁰ See 4.4.

⁵²¹ Cribb and Jones, ‘Ethical’, 101.

an ethical recommendation', that the individual's sexual behaviour is a matter of individual preference and choice.⁵²²

Naturally, within liberal society, such an ethical recommendation comes with the caveat that it is a freely informed choice, insofar as the choice of the other is respected and it contributes to social utility. However, as Sandel suggests, by adopting a value position that seeks to maximize utility, the state is, in effect, making a moral judgement on the common good,⁵²³ in this case, by granting recognition and value to a certain definition of young people's sexual behaviour over and above another and, indeed, over and above the achievement of social policy goals. For if, as Haydon suggests, sex education is instrumental to achieving the social goals of a healthy lifestyle, judged by Archard to be a 'neutral' justification for policy,⁵²⁴ then the effectiveness of the chosen policy position should dictate policy direction, i.e. if an approach which promotes 'informed choice' proves ineffective in reducing teenage pregnancy and the transmission of STIs, and an approach which enforces abstinence proves more effective, the measurement of consequences ought to dictate a change in policy direction.⁵²⁵ However, by rejecting this logic in policy discourse, the underlying normative judgement on young people's sexual behaviour comes to the fore, as well as the metanarrative in which it is positioned.

It is interesting to note, however, that where health promotional messages might masquerade as largely impartial on sexual lifestyle choices, it is possible to point to other areas of public health policy in which governments have adopted a much narrower, more paternalistic approach to lifestyle choices. Based on a calculation of 'harm' to the health of the individual and public at large, governments have introduced legislation around cigarette smoking and alcohol use, often by means of commercial regulation,⁵²⁶ or regulating behaviour in the public space.⁵²⁷ There are increasing calls from the medical profession for the Government to ban junk food adverts before the

⁵²² Hauerwas, *Community*, 178.

⁵²³ Sandel, *Justice*, 261.

⁵²⁴ Archard suggests that providing information to 'ensure a healthy lifestyle, rather than morally to endorse or condone certain forms of sexual activity, is perfectly consistent with the principle of neutrality' (Archard, *Impact*, 23).

⁵²⁵ Haydon, 'Personal', 510.

⁵²⁶ The Advertising Standards Authority (ASA) note that the UK has some of the strictest alcohol advertising standards in the world, with a particular focus on protecting young people (<http://www.asa.org.uk/News-resources/Hot-Topics/Alcohol.aspx>; accessed 17.02.13).

⁵²⁷ Chapter 1 of the *The Health Act 2006* (c.28) introduced certain smoke-free premises, places and vehicles. (http://www.legislation.gov.uk/ukpga/2006/28/pdfs/ukpga_20060028_en.pdf; accessed 17.02.13).

For a discussion on the role of law in promoting public health see L. Gostin, 'Legal Foundations of Public Health Law and its Role in Meeting Future Challenges', *Public Health*, Vol. 120, 2006, 8-15.

watershed and tax fizzy drinks, in order to tackle the national obesity crisis.⁵²⁸ Such action, Beauchamp would suggest, encourages concern for the good of the wider population.⁵²⁹ However, in contrast to discouraging tobacco use, where it is argued that the value that guides public policy is the uncontroversial and universal value of health,⁵³⁰ the reasons that determine, for example, why teenage pregnancy is problematic, extend beyond the remit of physical health, both for the mother and the child, and are therefore much more complex.

An added ethical consideration relates to the content of the messages targeted specifically at young people, taking into account the particular impact of societal shifts in sexual behaviour on young people, on account of their ‘unique vulnerabilities’.⁵³¹ Age-specific concerns are taken seriously by the Government when it comes to the dangers of underage alcohol consumption.⁵³² However, in contrast, targeted sexual health messages focus on a population-wide message of harm reduction. As the Social Exclusion Unit’s report acknowledged: ‘The fact is that unprotected sex at any age is dangerous’.⁵³³ Therefore, where the policy emphasis is placed on responsible sexual practice, Dianne Pearce suggests, the concern is not for children engaging in adult behaviour, but on the need to ‘reinforce responsible adult sexual behavior’.⁵³⁴ However, without at least an understanding of the psychological and emotional aspects of underage sex, Sue Stuart-Smith warns of the increased risk of teenage sex.⁵³⁵

⁵²⁸ See, for example, Gallagher, J., ‘Tax Fizzy Drinks and Ban Junk Food Ads, say doctors’, 17th February, 2013, (<http://www.bbc.co.uk/news/health-21478314>; accessed 17.02.13).

⁵²⁹ Beauchamp, ‘Life-style’, 76.

⁵³⁰ M. Verweij, ‘Tobacco Discouragement: A Non-Paternalistic Argument’, A. Dawson and M. Verweij (eds.), *Ethics, Prevention and Public Health*, Oxford: OUP, 2007, 179-197, 195.

⁵³¹ V. Chandra-Mouli, P-A. Michaud and G.C. Patton, ‘Adolescent Health’, R. Beaglehole, R. Detels, M. Gulliford and M.A. Lansang (eds.), *Oxford Textbook of Public Health* (5th ed.), Oxford: OUP, 2009, 1452-1464, 1458.

⁵³² *The Government’s Alcohol Strategy*, published in March 2012, highlights the specific risks for young people: ‘The Chief Medical Officer for England’s 2009 guidance that young people under 15 should not drink alcohol at all is based on the fact that young people who start drinking alcohol at an early age drink more frequently and more than those who start drinking later; as a result, they are more likely to develop alcohol problems in adolescence and adulthood’ (<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/alcohol-strategy?view=Binary>; accessed 18.02.13).

⁵³³ Social Exclusion Unit, *Teenage*, 4.

⁵³⁴ D.M. Pearce, ‘“Children having Children”: Teenage Pregnancy and Public Policy from the Women’s Perspective’, A. Lawson and D.L Rhode (eds.), *The Politics of Pregnancy: Adolescent Sexuality and Public Policy*, London: YUP, 1993, 46-58. 47.

⁵³⁵ S. Stuart-Smith, ‘Teenage Sex: Cognitive Immaturity Increases the Risk’, *British Medical Journal*, Vol. 312, February 1996, 390, 391.

Therefore, where health promotion is shaped by the moral principle of promoting social utility,⁵³⁶ a reduction in unplanned pregnancies and cases of STIs, the identified ‘harms’ of teenage sexual behaviour, accords with what Meredith notes to be the ‘direct return’ that most governments would expect from providing school-based sex education.⁵³⁷ The ‘harm principle’ also accords a central role in Archard’s moral account of sexual behaviour.⁵³⁸ However, underlying this liberal metanarrative, an oft implicit moral judgment is made in policy discourse concerning a vision of health and human flourishing, which in turn influences the utilitarian calculus used within public health to maximise the welfare of the population; this is reflected in the moral content of the approach to health education adopted. Informing a cost-benefit analysis is a socially constructed understanding of welfare, arising from a vision of human flourishing, a vision which, as Sandel points out, is independent of utility itself.⁵³⁹

3.3.1 Promoting ‘Safer’ Sex: An Inadequate Moral Vision

It is evident that when it comes to policy decisions concerned with promoting health, the philosophical position adopted by government is one that is concerned not just with individual empowerment, but with maximising the welfare of the population. As the WHO make clear, in balancing sexual rights with the harms of sexual behaviour, there is invariably a distinction made between behaviours or ‘expressions of sexuality’ which lead to sexual health and well-being and those that put people at risk or make them more vulnerable to sexual and reproductive ill-health.⁵⁴⁰ However, I shall note, in particular, the danger within policy discourse of narrowly defining the concept of ‘harm’, where the negative consequences of sexual behaviour are reduced to unplanned pregnancy, abortion and STIs. Of course, this is not to downplay the significance of these outcomes,⁵⁴¹ but health promotional messages are in danger of being reduced to

⁵³⁶ The principles of doing good and avoiding harm within health care are reflected in the four principles devised by Tom Beauchamp and James Childress, in particular, beneficence and non-maleficence (T.L. Beauchamp and J.F. Childress, *Principles of Biomedical Ethics* (7th ed.), Oxford: OUP, 2013).

⁵³⁷ Meredith, *Sex*, 2.

⁵³⁸ See 1.3.

⁵³⁹ Sandel, *Justice*, 56.

⁵⁴⁰ WHO, ‘Sexual and Reproductive Health: Gender and Human Rights - Defining Sexual Health’ (http://www.who.int/reproductivehealth/topics/gender_rights/defining_sexual_health/en/index.html; accessed 10.11.11).

⁵⁴¹ In noting their severity, John Green, for example, points out: ‘Arguably no area of medicine brings in more psychological factors than sexually transmitted diseases’ (J. Green, ‘Psychological Factors in Sexually Transmitted Diseases’, J. Green and D. Miller (eds.), *The Psychology of Sexual Health*, London: Blackwell Science, 2002, 21-37, 21).

the avoidance of ‘unprotected’ sex, i.e. the failure to use contraception or to use it effectively.⁵⁴²

In terms of the normative ethical framework which has emerged within sexual health promotion, the adequacy of a utilitarian calculus as a guide for individual and political moral action is immediately found wanting, not least by the fact that the full extent of the actual consequences, as opposed to just the expected ones for any sexual choice, are impossible to measure, both within the public and private realm. This is illustrated by the results from the National Survey of Sexual Attitudes and Lifestyles, which revealed that over half of women who had had sex before the age of 16, in hindsight, judged it to have been too soon.⁵⁴³ Not only is it difficult for the individual to ascertain the consequences of their own actions, it is arguably impossible to measure the impact on all those affected. For as John Lennox points out, how could we possibly measure the reaction of future generations to any decision, or how long would we have to wait to fully assess the unintended short and long-term consequences of the act?⁵⁴⁴ Even the most ardent proponents of sexual freedom argue that, in adopting an ethically responsible position, ‘decisions are subjects of judgement and projection, and their outcomes are only slowly revealed’.⁵⁴⁵

Therefore, there remains a long-standing critique directed against the adequacy of such a moral judgement, for as Fitzjames Stephen stated: ‘Men are so closely connected together that it is quite impossible to say how far the influence of acts apparently of the most personal character may extend’.⁵⁴⁶ In addition, consequences of sexual behaviour invariably extend beyond the outcomes for physical health. To argue otherwise is to adopt a very narrow definition of both health and sexuality.⁵⁴⁷ Sex, when disconnected from a view of personhood, is therefore understood according to the consequences of its biological function. However, in pointing to at least one other aspect of our personhood, Brandon notes that ‘sex is not isolated from our overall emotional development, but

⁵⁴² See, for example, W. Cates, S.J. Genuis and M. Steiner, ‘Are Condoms the Answer to Rising Rates of Non-HIV Sexually Transmitted Infection?’, *British Medical Journal*, Vol. 336, January 2008, 184, 185.

⁵⁴³ J. Field, A. Johnson, J. Wadsworth and K. Wellings, *Sexual Behaviour in Britain: The National Survey of Sexual Attitudes and Lifestyles*, London: Penguin Group, 1994, 80.

⁵⁴⁴ J. Lennox, ‘Utilitarianism’s Critique of the Sanctity of Life Doctrine: A World-View Perspective’, MA Thesis, St. Mary’s University College, Twickenham, 2004, 21.

⁵⁴⁵ Kirkendall, *New*, 21.

⁵⁴⁶ Fitzjames Stephen, *Liberty*, 145.

⁵⁴⁷ See, for example, F.R. Addo, D.T. Lichter and S. Sassler, ‘The Tempo of Sexual Activity and Later Relationship Quality’, *Journal of Marriage and Family*, Vol. 74, No. 4, August 2012, 708-725, who report that ‘rapid sexual involvement may have adverse long-term implications for relationship quality’ (708).

occurs within and contributes towards it'.⁵⁴⁸ Indeed, this corresponds with the WHO definition of sexual health.

Nevertheless, what we can observe and measure consequentially, at least in part, and in the short term, are the physical health outcomes of current sexual norms in behaviour. These have resulted in significant 'pain', including unintended pregnancies, abortion, and an increase in cases of STIs. Limited progress was made during the lifetime of New Labour's Teenage Pregnancy Strategy; despite New Labour's 10 year goal to halve the number of conceptions to under 18s, the rate of under-18 conceptions in England between 1998 and 2008 fell by only 13%.⁵⁴⁹ However, recent figures show that teenage pregnancy rates have reached an all-time low.⁵⁵⁰ At the same time, STI rates continue to rise. Nearly half a million new STIs were diagnosed in England in 2012,⁵⁵¹ an increase accorded to new data collection. The 2013 figures noted very little change.⁵⁵² There has been a long-standing political concern for the state of the sexual health of the population. For example, in 2003, David Hinchliffe, the Chairman of the House of Commons Health Committee, reported to Parliament the findings of the Committee's inquiry into sexual health: 'We have been appalled by the crisis in sexual health we have heard about and witnessed during our inquiry. We do not use the word 'crisis' lightly but in this case it is appropriate'.⁵⁵³

As the 2013 figures show, the 15-24 age category experienced the highest STI rates, amounting to 63% of chlamydia, 54% of genital warts, 42% of genital herpes and 56% of gonorrhoea diagnoses in heterosexuals.⁵⁵⁴ Attempts by public health to abate the crisis appear to be failing, indicating that health promotional messages around unprotected sex have either been ignored or proven ineffective. Indeed, in line with the moral mantra of informed choice, the rejection of the 'healthy' decision is a morally

⁵⁴⁸ G. Brandon, *Just Sex: Is it ever just Sex?*, Nottingham: IVP, 2009, 51.

⁵⁴⁹ Teenage Pregnancy Independent Advisory Group, *Teenage Pregnancy Independent Advisory Group Final Report. Teenage Pregnancy: Past Successes – Future Challenges*, London: Department for Education, 2010.

⁵⁵⁰ DoH, *Framework*, 7.

⁵⁵¹ Public Health England, 'Press Release: Nearly Half a Million New Sexual Infections in 2012', 5th June 2013, (<https://www.gov.uk/government/news/nearly-half-a-million-new-sexual-infections-in-2012>; accessed 20.09.13).

⁵⁵² Public Health England, 'Press Release: Number of STI Cases diagnosed in 2013 remain close to 2012 Figures', 17th June 2014, (<https://www.gov.uk/government/news/sexually-transmitted-infection-risk-in-england-is-greatest-in-gay-men-and-young-adults>; accessed 29.09.14).

⁵⁵³ House of Commons Health Committee, *Sexual Health – Third Report of Session 2002-03*, London: TSO, 2003.

⁵⁵⁴ Public Health England, 'Press Release: Sexually Transmitted Infection Risk in England is greatest in Gay Men and Young Adults', 17th June, 2014, (<https://www.gov.uk/government/news/sexually-transmitted-infection-risk-in-england-is-greatest-in-gay-men-and-young-adults>; accessed 29.09.14).

legitimate outcome. Recent research has shown that some young women, while being fully aware of the consequences of unplanned pregnancy, are choosing to reject the use of contraception and are continuing to have unprotected sex.⁵⁵⁵ Therefore, while empowering the individual is ‘not a morally neutral activity’,⁵⁵⁶ within the current moral framework the health promoter inevitably faces such an outcome.

Indeed, it is noteworthy to point out that within our narrow application of the harm principle, it is possible to arrive at a very different conclusion to our current sexual health ethic. For, as S. Jack Odell suggests, it may have been possible to argue within the early to mid-twentieth century for a rule prohibiting pre-marital sex on utilitarian grounds in view of the unwanted pregnancies, illegal and dangerous abortions and the spread of sexually transmitted infections.⁵⁵⁷ As he notes, this was the position voiced by Ronald Atkinson, who identified the potential for much harm in pre-marital sexual relationships.⁵⁵⁸ Indeed, Odell points out that this analysis might still apply:

Of course, now that antibiotic-resistant strains of venereal disease bacteria are increasing, and some diseases (herpes, AIDS) are caused by viruses against which we have little medical protection, the argument for a rule prohibiting premarital (and other) sex may still have some strength.⁵⁵⁹

It goes without saying, of course, that such public policy suggestions or legal manoeuvres would prove unpalatable within the current liberal metanarrative, but it does present a challenge to those who advocate a narrow definition of ‘harm’ within a utilitarian ethic.

As for the outcome of the current welfare calculus, the health message around sexual health improvement remains consistent: ‘The best way for sexually active people of any age to avoid an STI is to use a condom when they have sex’.⁵⁶⁰ Accordingly, this shapes the moral judgments made against young people’s sexual behaviour, where ‘bad habits’, Tatchell points out, include ‘unsafe sex’ and ‘intercourse without contraception’.⁵⁶¹ In addressing these, he suggests that teachers should present safer sex as an ‘attractive, sexy alternative’.⁵⁶² The same approach should be adopted, he suggests, for encouraging kids

⁵⁵⁵ DoH, *Framework*, 33.

⁵⁵⁶ Cribb and Jones, ‘Ethical’, 106.

⁵⁵⁷ S. Jack Odell, ‘Consequentialism’, in A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 194-202, 199.

⁵⁵⁸ R. Atkinson, *Sexual Morality*, London: Hutchinson & Co., 1965, 11.

⁵⁵⁹ Odell, ‘Consequentialism’, 199.

⁵⁶⁰ DoH, *Framework*, 29.

⁵⁶¹ Tatchell, ‘ABC’, 64.

⁵⁶² Tatchell, ‘ABC’, 76.

to explore other means of sexual arousal.⁵⁶³ Indeed, Ingham suggests that an increased openness about masturbation might contribute to an understanding of, and achieving targets within, public health.⁵⁶⁴ When it comes to the sexual facts, as Tatchell denotes, ‘nothing must be off limits’.⁵⁶⁵

While I shall explore the adequacy of the worldview premise that underpins these conclusions on sexual morality in the next chapter, it is sufficient, at this stage, to suggest that at the heart of sexual health promotion remains a narrow definition of ‘safer sex’, giving perceived moral legitimacy to a policy framework which seeks to maximise the sexual autonomy of the individual, even at the expense of policy goals. Alan Soble argues that deciding what amounts to ‘harm’ in the public sphere has ‘profound implications’. For, in his view, ‘a narrow notion of harm yields a permissive (sexual and nonsexual) ethics, providing little justification for using the criminal law to interfere with behaviour; a broad notion of harm (which might include more offensiveness) implies the opposite’.⁵⁶⁶ As Kymlicka notes, due to disagreements over the measure of utility, the application of a utilitarian ethical theory within political discourse is ‘bound to yield fundamentally opposed judgements’.⁵⁶⁷

As a result, it is possible, Soble suggests, to argue on utilitarian grounds for the widespread use of contraception in order to reduce unwanted pregnancies, recognising the difficulty in defining the ‘good’ and ‘bad’ consequences of making such a choice.⁵⁶⁸ Indeed, the moral justification for doing so, it could be argued, is particularly applicable to young people, in view of the perceived social and economic fallout of teenage pregnancy.⁵⁶⁹ As a result, significant emphasis has been placed, within sexual health policy discourse, on improving outcomes through contraceptive provision and STI testing. In developing a policy response to teenage pregnancy, it is suggested that for every £1 that is invested in contraception, the NHS will save £11, on top of savings

⁵⁶³ Tatchell, ‘ABC’, 76.

⁵⁶⁴ R. Ingham, ‘A Well-Kept Secret; Sex Education, Masturbation, and Public Health’, L. Allen, K. Quinlivan and M.L. Rasmussen (eds.), *The Politics of Pleasure in Sexuality Education: Pleasure Bound*, London: Routledge, 2014, 57-77.

⁵⁶⁵ Tatchell, ‘ABC’, 69.

⁵⁶⁶ A. Soble, *The Philosophy of Sex and Love* (2nd ed.), St. Paul: Paragon House, 2008, 102.

⁵⁶⁷ Kymlicka, *Contemporary*, 48.

⁵⁶⁸ Soble, *Philosophy*, 103.

⁵⁶⁹ At the end of New Labour’s 10 year teenage pregnancy strategy, the Government reported: ‘The case for investment in teenage pregnancy is strong – from both a social and economic point of view’ (Department of Health and Department of Children Schools and Families, *Teenage Pregnancy Strategy: Beyond 2010*, Nottingham: Department for Children, Schools and Families Publications, 2010, 17).

made to welfare benefit costs.⁵⁷⁰ Evidence from 2011 suggests that ‘the provision of contraception saved the NHS £5.7 billion in healthcare costs that would have had to be paid if no contraception at all was provided’.⁵⁷¹ In addition, it was estimated that a quarter of funds transferred to local authorities in England in April 2013 for their public health responsibilities would be spent on sexual health services.⁵⁷² Government guidance on contraceptive services for young people, therefore, has followed suit, with the emphasis on providing widespread and comprehensive contraceptive provision.⁵⁷³

As noted earlier, in making a moral judgement on the ‘harm’ of young people’s sexual behaviour, particular policy attention is directed towards the issue of teenage pregnancy, the justification for which being the potential social exclusion of the mother, and, in particular, concern expressed over levels of poverty, low aspirations, poor educational outcomes and the impact on future employment opportunities.⁵⁷⁴ All of these have particular costs for the socio-economic structures of society, not least incurring a significant cost that impacts present and future public finances. As such, with harm defined within narrow socio-economic parameters, it may be difficult to argue why long-acting methods of contraception do not become a morally legitimate option for teenage girls, indeed all teenage girls.⁵⁷⁵ Anecdotally, a columnist in ‘The Times’ newspaper, commenting in 2012 on the six fold increase over the past five years in the number of girls of 15 years and under who have received the contraceptive implant from a school-based NHS clinic, admitted that the harms of current behaviour may morally justify such a measure: ‘contraceptive implants are an ugly measure, a flawed fix, that should rightly make society uncomfortable. But they are better than a lifetime of trouble

⁵⁷⁰ Teenage Pregnancy Independent Advisory Group, *Teenage*, 2. This was also restated in DoH, *Framework*, 39.

⁵⁷¹ DoH, *Framework*, 39.

⁵⁷² DoH, *Framework*, 39.

⁵⁷³ See NICE (National Institute for Health and Care Excellence), ‘Contraceptive Services with a Focus on Young People up to the Age of 25’ (<http://www.nice.org.uk/guidance/PH51/chapter/introduction-scope-and-purpose-of-this-guidance>; accessed 01.07.14).

⁵⁷⁴ DoH, *Framework*, 56.

⁵⁷⁵ The case for which may be strengthened by recent results showing a fall in condom use among sexually active young people in England: ‘In 2010, England was in the bottom third of 43 countries in the World Health Organization’s European Region and North America for condom use among sexually active young people; previously, England was in the top ten’ (DoH, *Framework*, 10). Eleanor King, Roger Ingham and Cicely Marston note the symbolic and social significance attached to condom use, which influences their use amongst young people (E. King, R. Ingham and C. Marston, ‘Young People and Condom Use: Findings from Qualitative Research’, P. Aggleton and R. Ingham (eds.), *Promoting Young People’s Sexual Health: International Perspectives*, Abingdon: Routledge, 2006, 27-40). Consequentially, other forms of contraception may maximise welfare: ‘Guidance from NICE has found that, while all methods of contraception are effective, LARC methods such as contraceptive injections, implants, the intra-uterine system or the intra-uterine device (IUD) are much more effective at preventing pregnancy than other hormonal methods, and are much more effective than condoms’ (DoH, *Framework*, 10).

for yet another vulnerable girl'.⁵⁷⁶ Even within this calculus of utility, however, it is overlooked that the contraceptive implant offers the teenage girl zero protection from STIs.

It may be argued that if the notion of harm associated with young people's sexual behaviour was broadened to include issues pertaining to their relational and emotional well-being, or, indeed, if evidence was to show damaging effects of long-acting methods of contraception on young girls' developing bodies, we may well arrive at a different conclusion. Therefore, any calculation made in pursuit of reducing public harm is understood within a broader notion of a young person's well-being. Nevertheless, it would appear that, in view of the public health response to teenage sexuality, as Soble predicts, a narrow definition of harm has yielded a permissive ethic. As Brandon suggests, our culture has placed a premium on securing sexual freedom, over and above the costs to public health and, indeed, the multi-faceted and far-reaching relational 'harms' to the parties involved and the wider community. In addition, he points to the cumulative 'harm' of sexual behaviours on the individual's character and the implications of sexual choices for future relational stability.⁵⁷⁷ On account of these factors, it is clear that the use of 'harm' as a moral indicator is currently limited in its scope and application and does not contribute to an adequate moral framework in which to position moral education or present a coherent vision of human flourishing, in particular, taking into account our inherently relational nature.

Indeed, as Atkinson argued, utilitarian arguments are 'culture-bound', with the application of principles, therefore, vulnerable to social change, as, too, the notions of sexual practices that promote happiness.⁵⁷⁸ For example, with increased discourse around the inclusion of pleasure in SRE programmes, 'harm' may become understood as denying young people access to information on how to make their sexual experiences more pleasurable. Additionally, there are those who express little or no moral objection to the practice of abortion, judging the greater harm instead to lie in the 'potential hazard' of unplanned pregnancy.⁵⁷⁹ As a consequence, Atkinson suggests that 'a utilitarian position hardly constitutes a basis for the reappraisal of our sexual

⁵⁷⁶ J. Turner, 'Hard Cases mean hard Choices. Like Implants', *The Times*, 11th February, 2012.

⁵⁷⁷ G. Brandon, 'Free Sex: Who Pays? Moral Hazard and Sexual Ethics', *Cambridge Papers: The Jubilee Centre*, Vol. 20, No. 4, Dec. 2011.

⁵⁷⁸ Atkinson, *Sexual*, 55.

⁵⁷⁹ A. Furedi, *Unplanned Pregnancy: Your Choices*, Oxford: OUP, 1996, 25. Indeed, the *Framework* points to the negative outcomes of unplanned pregnancies without questioning the moral legitimacy of abortion practice (DoH, *Framework*, 34).

arrangements *as a whole*, nor will it take the weight of proposals for the really radical re-shaping of them'.⁵⁸⁰

While recognising the limitations of the utilitarian argument outside of an understanding of the existing social order, Atkinson sees little alternative to it as a moral framework for drawing up legislation within a morally pluralist democracy.⁵⁸¹ However, in acknowledging and addressing the oversimplification of its earliest proponents, Kymlicka suggests that modern utilitarianism 'no longer defines a distinctive political position'.⁵⁸² As such, while the consequentialist principle in and of itself may be judged a useful measure in guiding public policy decisions, in particular as a means of finding an objective measure with which to maximise the outcomes for all affected,⁵⁸³ it cannot provide a definitive account of sexual morality, as it doesn't offer an adequate vision of the intrinsic good of sexual behaviour, nor provide a sound moral foundation on which to build a public sexual ethic.⁵⁸⁴

3.4 Educating for Morality: 'Freedom of Choice'

Reflecting the findings from my earlier discussion, Darcia Narvaez notes two dominant approaches to moral education in recent decades: '*traditional character education* and *rational moral education*'.⁵⁸⁵ While the first is focussed on the cultivation of virtuous character, the second is centred on facilitating autonomous moral decision-making.⁵⁸⁶ Haydon notes that focussing on the aims of moral education helps to distinguish it from moral development.⁵⁸⁷ Narvaez's second approach is reflected in what Blake and Frances suggest is the 'consensus' position with regards to SRE in England, where the educational focus is upon the 'acquisition of knowledge, the development of skills and the clarification of attitudes and values'.⁵⁸⁸ Indeed, this is the position adopted within the 'Education Framework' of the Sex Education Forum.⁵⁸⁹ As noted in Chapter 1, the

⁵⁸⁰ Atkinson, *Sexual*, 55.

⁵⁸¹ Atkinson, *Sexual*, 59.

⁵⁸² Kymlicka, *Contemporary*, 48. Kymlicka offers a useful guide to further reading on Utilitarianism as a political philosophy (see Kymlicka, 'Guide to Further Reading', 48-50).

⁵⁸³ Beauchamp and Childress, *Principles*, 361.

⁵⁸⁴ See Chapter 4 for further critique of the application of a utilitarian calculus in shaping the current public sexual ethic.

⁵⁸⁵ D. Narvaez, 'Integrative Ethical Education', M. Killen and J. G. Smetana (eds.), *The Handbook of Moral Development*, London: Lawrence Erlbaum Associates, 2006, 703-732, 703. As an alternative to these dominant approaches, a model of Integrative Ethical Education is presented.

⁵⁸⁶ I shall explore the role and impact of Character Education in more depth in Chapter 5.

⁵⁸⁷ Haydon, 'Moral', 321.

⁵⁸⁸ Blake and Frances, *Just*, 52.

⁵⁸⁹ Sex Education Forum, 'Sex and Relationships Education Framework', 2005,

SEF plays a leading role in the policy community that shapes SRE policy. However, with its formation, Thomson noted the challenge of reaching consensus on a moral framework for SRE amongst such a diverse group of stakeholders.⁵⁹⁰ Two key projects, which took place in the early 1990s, were attempts at achieving this.

In *Sex Education, Values and Morality*, the Family Planning Association and Health Education Authority concluded that when it came to developing a values framework for sex education programmes within a pluralist society, achieving consensus on attitudes, values and beliefs was not necessary. Indeed, as a general principle, the promotion of one particular lifestyle to young people was not considered good practice. With the acceptance and celebration of difference, and the promotion of a moral framework of equal opportunity and respect, it was recognised that ‘values cannot be imposed, but children can be equipped with the skills needed to allow them to develop their own’.⁵⁹¹ This approach reflects a ‘values clarification’ theory of moral education, where the focus of education is on the ‘process of valuing’ and proposes that ‘whatever values one obtains should work as effectively as possible to relate one to his world in a satisfying and intelligent way’.⁵⁹² This evaluation also echoes what Halstead and Reiss identify as the three fundamental values within a liberal education: freedom, equality and rationality.⁵⁹³ In particular, as evidenced in discussions on moral education, they point out that the process of developing the rational mind of the young person and encouraging open, critical thinking cuts to the very heart of liberal education. While recognising the significant role that this plays in moral development, they caution, however, against a narrow understanding of the young person that equates with their ability to reason, in a ‘way that ignores the emotions and dispositions and a balanced sense of personhood’.⁵⁹⁴

The second project, led by the Sex Education Forum, echoed the moral conclusions of the first. They similarly rejected the promotion of a single moral standpoint, instead reaching consensus on the fact that sex education should be: ‘relevant to all young people; respectful of the cultural and religious identities of the individual; understanding

(http://www.ncb.org.uk/media/229338/sex_and_relationships_education_framework.pdf, accessed 18.09.12).

⁵⁹⁰ Thomson, ‘Diversity’, 263, 264.

⁵⁹¹ Family Planning Association, *Sex, Education, Values and Morality*, London: Health Education Authority, 1994, 5.

⁵⁹² L.E. Harmin, L.E. Raths and S.B. Simon, *Values and Teaching: Working with Values in the Classroom*, Columbus: Charles E. Merrill Books, 1966, 28.

⁵⁹³ Halstead and Reiss, *Values*, 61.

⁵⁹⁴ Halstead and Reiss, *Values*, 65.

and accepting of diversity'.⁵⁹⁵ The project encouraged rational engagement with shared values as part of the process of moral development, with the young person being encouraged to engage with, and being helped by the educator to understand, the implications of their own moral understandings.⁵⁹⁶ At the same time the project recognised the part that religion might play in an individual's spiritual and moral development and the importance of religion as 'one aspect' of an individual's identity, and, in particular, 'one factor' in shaping a young person's sexual identity.⁵⁹⁷ While the recognition of the contribution that religion brings to moral and spiritual development is self-evident, it is clear that their conclusions on the role that it plays painted a disjointed view of identity formation. In particular, it failed to appreciate the overarching influence a cohesive worldview, whether a religious or a secular one, can have in providing a moral framework that informs, shapes and directs all aspects of life, including sexuality. Mike Bottery identifies this as a problem of liberalism, in that it fails to appreciate the 'rootedness' of individuals within their cultural and religious communities, a strength of identity that often precedes their own sense of individuality.⁵⁹⁸

In effect, both projects emphasised the distinction between 'prescriptive' and 'enabling' values in sex education, promoting the latter as a way of developing a moral language that establishes consensus around the "thou shalt", as opposed to the "thou shalt not" of sexual behaviour.⁵⁹⁹ Such an approach, it was argued, develops a moral framework that is inclusive rather than exclusive,⁶⁰⁰ one in which young people should be given the freedom to explore and develop their own moral code.⁶⁰¹ In light of this, the liberal metanarrative that is currently shaping the normative ethical framework of SRE, as espoused by Archard and Harris, presents the *telos* of education as the promotion of personal autonomy.⁶⁰² Consequentially, 'informed choice' has become the moral touchstone of SRE policy rhetoric. It is important, therefore, to glimpse the philosophical landscape of moral education from which the pre-eminent position of the self-authenticated choice within SRE discourse has emerged. For while government seeks to curtail individual liberty, through the application of the 'harm principle' within

⁵⁹⁵ R. Thomson, *Religion, Ethnicity and Sex Education: Exploring the Issues*, London: National Children's Bureau, 1993, 4.

⁵⁹⁶ Thomson, *Religion*, 9.

⁵⁹⁷ Thomson, *Religion*, 119.

⁵⁹⁸ M. Bottery, 'Can Schools in a Liberal Society satisfy Conservative Views on Sex Education? : A Preliminary but Necessary Discussion', S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: Islamic Academy, 1998, 150-167, 159.

⁵⁹⁹ Thomson, 'Diversity', 265.

⁶⁰⁰ Thomson, *Religion*, 11.

⁶⁰¹ Blake and Frances, *Just*, 52.

⁶⁰² See 1.4.

a consequentialist framework, Carr points to a second concept of practical reasoning and the more recent use of Kant's deontological ethic as a means of deriving rationally determined moral rules and securing a moral basis for education and political and social theory.⁶⁰³ This, Carr suggests, offers a 'more viable basis' on which a liberal democracy can develop concern for the common good.⁶⁰⁴

3.5 'Informed Choice': The Dominant Metanarrative in SRE

A Kantian ethic rejects the maximizing welfare and happiness maxim of public morality as the end of moral reasoning, and adopts instead an approach that upholds the moral will of the individual. As Sandel points out: 'To act freely, according to Kant, is to act autonomously. And to act autonomously is to act according to a law I give myself – not according to the dictates of nature or social convention'.⁶⁰⁵ A rejection of a utilitarian ethic is, therefore, a rejection of the necessity of society to affirm one view of happiness over another.⁶⁰⁶ Accordingly, as Haydon points out, the 'ethos of Informed Choice' within Personal and Social Education suggests that 'there is a conscious attempt not to "impose" values on the young'.⁶⁰⁷ Our freedom as rational agents accounts for our ability to uncover knowledge for ourselves without an appeal to a transcendent reality.⁶⁰⁸ For while justice and individual rights are regarded as moral goods to liberals such as Locke and Mill, for a true understanding of Kant's deontological ethic, the principle of justice is judged not simply as a moral good that contributes to social utility, but as a moral category that precedes any conception of the good. As such, Sandel points out how, in its moral and foundational sense, deontology, as a 'first-order ethic' can be distinguished from, and opposes, both consequentialism and teleology.⁶⁰⁹ Therefore, where right is prior to the good, the subject capable of autonomous will is the basis of the moral law and the supreme principle of morality.⁶¹⁰ This is what distinguishes, Rawls suggests, modern moral philosophy from its ancient or classical counterparts.⁶¹¹

⁶⁰³ Carr, *Making*, 175.

⁶⁰⁴ Carr, *Making*, 79.

⁶⁰⁵ Sandel, *Justice*, 109.

⁶⁰⁶ Sandel, *Justice*, 138.

⁶⁰⁷ Haydon, 'Personal', 509.

⁶⁰⁸ See Chapter 7 in R. Trigg, *Ideas of Human Nature: An Historical Introduction* (2nd ed.), Oxford: Blackwell, 1999, 94-108, for a concise overview of Kant's philosophy.

⁶⁰⁹ Sandel, *Liberalism*, 3.

⁶¹⁰ Sandel, *Liberalism*, 6.

⁶¹¹ Rawls, *Lectures*, 2000, 2.

The weighty influence of Kant's deontological ethic can still be felt in modern discourse around moral education. Indeed, Johannes Giesenger points out how the core ideas of Kant's moral philosophy⁶¹² are present in his pedagogy, where the role of the educator is to bring forth the rational presuppositions of freedom and the moral law which are already present in the child.⁶¹³ Commenting on Kant's core text on education, *Lectures on Pedagogy*, and drawing from insights in his other works, Robert Loudén echoes this understanding of Kant's philosophy of education: 'Kant understands both education and history as a development process involving the gradual realization of inherent human powers and capacities; the growth of freedom through rational control of instinct and desire'.⁶¹⁴ The end goal of a Kantian education, he points out, is human perfection, where the moral actors behave consistently according to universalizable maxims.⁶¹⁵ Therefore, in line with a Kantian ethic, rational autonomy is developed within the principled framework of respect and tolerance for others.⁶¹⁶ However, where the moral objectivity of Kant's imperatives may prove problematic within a pluralist polity,⁶¹⁷ Carr points to the theories which promote self-legislation, such as the cognitive development theory of Lawrence Kohlberg as more appealing to liberal educationalists: while morality is itself universal, the content is self-directed.⁶¹⁸

The growth in the developmental and educational psychologist approach to moral education was invigorated by a significant number of American psychologists in the second half of the twentieth century.⁶¹⁹ Within educational philosophical discourse in the UK, Richard S. Peters and Paul Hirst led the way in advocating a philosophical

⁶¹² According to Kant, moral autonomy and freedom is secured by acting, not according to our emotions, but according to pure reason: 'A will which can be determined independent of sensuous impulses, and therefore through motives which are represented only by reason, is entitled *freewill* (arbitrium liberum), and everything which is bound up with this will, whether as ground or as consequence, is entitled *practical*' (I. Kant, *Immanuel Kant's Critique of Pure Reason*, N.K. Smith (tr.), London: Macmillan Education, 1929 [1787], 633).

⁶¹³ J. Giesenger, 'Kant's Account of Moral Education', *Educational Philosophy and Theory*, Vol. 44, No. 7, 2012, 775-786, 783.

Commenting on Kant's moral epistemology with relation to moral education, Kate Moran reiterates the point that, even without education, Kant believed that an individual would be able to identify the moral law through the engagement of pure practical reason; it is the role of education to draw it out and sharpen moral thinking and decision making capacity (K. Moran, 'Can Kant Have an Account of Moral Education?', *Journal of Philosophy of Education*, Vol. 43, No. 4, 2009, 471-484).

⁶¹⁴ R.B. Loudén, 'Immanuel Kant: Afterword', S. M. Cahn (ed.), *Philosophy of Education: The Essential Texts*, London: Routledge, 2009, 281-292, 284.

⁶¹⁵ Loudén, 'Immanuel', 290.

⁶¹⁶ Carr, *Making*, 79.

⁶¹⁷ Carr suggests two ways in which a purely deontological ethic might need to be adjusted in order to make it palatable to modern liberals: 'first, it must be purged of its deeply metaphysical and non-empirical character; secondly, the more problematic egalitarian features of deontology may need modification or dilution in a more conspicuously liberal education' (Carr, *Making*, 176).

⁶¹⁸ Carr, *Making*, 177.

⁶¹⁹ See Hunter, *Death*, 81, for a list of those whom he regards as the major players.

approach focused on the analysis of concepts, exposing their underlying presuppositions, including ‘questions about the grounds of knowledge, belief, actions and activities’.⁶²⁰ They acknowledged that these presuppositions were contingent in nature,⁶²¹ and that justification of concepts remained unanswered without engaging in social and moral philosophy.⁶²² Moral education became concerned with the process of constructing moral values rather than imparting a prescribed set of moral truths. Indeed, as Robert Fisher suggests, by creating a ‘community of philosophical enquiry’ in the classroom, values are open for creation and adaption.⁶²³ Outworked in the practice of moral education, Larry Nucci suggests that all developmental approaches ‘share a common view that moral growth comes about through the child’s progressive construction of ways of understanding the world, and not just an accommodation to the positions and practices of adults and society’.⁶²⁴ When it comes to sex and education, therefore, it is argued that the approach must be firstly ‘one of communication, and not of indoctrination’.⁶²⁵

In acknowledging this bias towards enlightenment rationalism, the influence of the cognitive development theories of moral education expounded by leading proponents, such as Kohlberg, have been significant over recent decades.⁶²⁶ His insights, rooted in the theories earlier developed by Jean Piaget,⁶²⁷ attempt to explore a theory of moral development that he believes moves beyond the polar positions of indoctrination and relativity and can be justified ‘philosophically and psychologically’.⁶²⁸ He quantifies and articulates different stages of cognitive thinking in moral decision-making. In

⁶²⁰ P.H. Hirst and R.S. Peters, *The Logic of Education*, London: Routledge and Kegan Paul, 1970, 3. See also R.S. Peters, *Ethics and Education*, London: George Allen & Unwin, 1970; P.H. Hirst, ‘Liberal Education and the Nature of Knowledge’, R.S. Peters (ed.), *The Philosophy of Education*, Oxford: OUP, 1973, 87-111.

⁶²¹ Curren, Hager and Robertson, ‘Analytical’, 187.

⁶²² Hirst and Peters, *Logic*, 41.

⁶²³ R. Fisher, ‘Philosophy for Children: How Philosophical Enquiry can foster Values Education in Schools’, J. Cairns, R. Gardner and D. Lawton, *Education for Values: Morals, Ethics, and Citizenship in Contemporary Teaching*, London: Kogan Page, 2000, 50-66.

⁶²⁴ L. Nucci, ‘Education for Moral Development’, M. Killen and J.G. Smetana (eds.), *The Handbook of Moral Development*, London: Lawrence Erlbaum Associates, 2006, 657 – 682, 663.

⁶²⁵ Wilson, *Logic*, 106. See also K. David and C. Wise, ‘Challenges for Sex Education in Schools’, K. David and T. Williams (eds.), *Health Education in Schools (2nd ed.)*, London: Harper and Row, 1987, 191-214, for another example of this moral position.

⁶²⁶ Describing Kohlberg’s work as the most ‘recent and sophisticated’ in understanding the development of moral judgement, Paul Hirst, in recognising the prime importance of cognitive ability in achieving rational autonomy, suggested that if his conclusions could be sustained, they ‘could turn out to be of the greatest educational significance’ (P.H. Hirst, *Moral Education in a Secular Society*, London: University of London Press, 1974, 93).

⁶²⁷ Most notably, Piaget’s *The Moral Judgement of the Child*.

⁶²⁸ L. Kohlberg, *Essays in Moral Development. Volume 1: The Philosophy of Moral Development*, New York: Harper and Row, 1981, 6.

critiquing the “bag of virtues”⁶²⁹ approach, in which individuals are presented with a prescribed list of positive values to which they are expected to conform, he appeals to a ‘psychological theory of development with a rational ethical philosophy of development’,⁶³⁰ according to which the individual reasons over and makes their own moral decisions. Kohlberg’s six developmental stages of moral reasoning culminate in the individual validating a socially agreed set of universal ethical principles, moving from a set of heteronomous principles to autonomous ones.⁶³¹

While acknowledging the breadth of his thinking and influence, Carr suggests Kohlberg’s account of moral development is yet ‘largely a mosaic of post-enlightenment ideas about moral *reason*’.⁶³² As such, moral maturity is achieved by consistently holding to a rationally derived and self-legislated set of moral principles.⁶³³ As Hunter points out, this ‘psychological regime’, of which Kohlberg was a part, was a move away from a prescriptive morality to one that focussed on the competency of an individual to make autonomous moral choices.⁶³⁴ However, Peters points to Kohlberg’s own ‘bag of virtues’, principles which he identifies as constituting basic content of morality, including justice, human welfare, respect for persons and society.⁶³⁵ In addition, he points to the fact that, while Kohlberg’s general theory appeals to principles like justice, it fails to account for why a child should come to care about applying this principle.⁶³⁶

Therefore, in light of this metanarrative, and in re-iterating the position presented by Archard, which underlies my central critique, a liberal education is one in which the

⁶²⁹ Kohlberg, *Essays*, 9.

⁶³⁰ Kohlberg, *Essays*, 50.

⁶³¹ See P. Samuelson and J. Snarey, ‘Moral Education in the Cognitive Developmental Tradition: Lawrence Kohlberg’s Revolutionary Ideas’, D. Narvaez and L.P. Nucci (eds.), *Handbook of Moral and Character Education*, Abingdon: Routledge, 53-79.

⁶³² Carr, ‘Moral’, 115. Even those who continue to defend a cognitive-developmental approach to moral education, concede that Carr may be justified in identifying ‘the impossibility of *proving* a philosophical ‘ought’ through psychological inquiry’ (R. Cummings and A.S. Richmond, ‘In Support of the Cognitive-developmental Approach to Moral Education: A Response to David Carr’, *Journal of Moral Education*, Vol. 33, No. 2, June 2004, 197-205, 202).

⁶³³ Carr, *Making*, 179. There are, of course, different schools of thought with regards to understanding moral developmental psychology. While it is beyond the remit of this thesis to provide a comprehensive account or critique of these different theories, I point to Kohlberg’s theory as evidence of a popular account of moral development, which seeks to root moral truth in the outcome of rational deliberation, and whose influence and relevance continues to be defended (see, for example, K.S. Basinger, M.W. Berkowitz, J.C. Gibbs, R.L. Grime and D. Moshman, ‘Taking Development Seriously: Critique of the 2008 *JME* Special Issue on Moral Functioning’, *Journal of Moral Education*, Vol. 38, No. 3, September 2009, 271-282).

⁶³⁴ Hunter, *Death*, 81.

⁶³⁵ Peters, *Moral*, 177.

⁶³⁶ Peters, *Psychology*, 330.

young person is educated to make free, autonomous choices; this, Archard points out, has three implications for sex education:

First it means that young persons should be supplied with enough information to make informed, considered choices. Second it means that young persons should be taught to make their own choices. Third it means that choice should be accorded a central role in the legitimization of sexual conduct.⁶³⁷

Only by educating according to these prerequisites, he argues, will we hold true to the ideals of a liberal education. However, as we have already identified, this is to presume that individual rights and autonomy is coherently understood within the liberalist tradition. As William Nelson points out, ‘some believe in natural rights, some are contractualists, and some consequentialists’.⁶³⁸ Nevertheless, when it comes to assessing the moral quality of choices that emerge from this process of autonomous reasoning, or, indeed, the moral truth on which such choices are founded, Archard suggests that such conclusions are determined by the young person themselves, with the pre-condition that they have the capacity to make the choice in the first place. This measure of capacity, however, appears to be an evolving precondition: ‘There is no bright line here. The line may shift across time and education itself can play a role in shifting the line’.⁶³⁹

Thus, in critiquing the metanarrative of ‘informed choice’, I shall return to the crux of my critique and argue why this understanding of moral reasoning and underlying moral ontology is fundamentally flawed. In re-engaging with my two central points of critique, it firstly assumes the possibility that moral identify formation can take place aloof from any concept of the good, invariably shaped by particular cultural norms and values, and, secondly, that objective moral principles can be derived from the process of moral reasoning.

3.5.1 Critique 1: The Falsity of a Self-Legislated Choice

In recognising the ideal of moral autonomy as the end towards which moral education is directed, it should at least be noted that self-legislated choices must yet be balanced with community consensus and a vision of well-being. MacIntyre argues that in modern society, in the absence of an ‘educated public’, these two purposes are incompatible.⁶⁴⁰

⁶³⁷ Archard, *Impact*, 37.

⁶³⁸ Nelson, ‘Liberal’, 197.

⁶³⁹ Archard, *Impact*, 37.

⁶⁴⁰ MacIntyre suggests that ‘an educated community can exist only where there is some large degree of shared background beliefs and attitudes, informed by the widespread reading of a common body of texts, texts which are accorded canonical status within that particular community’ (A. MacIntyre, ‘The Idea of

However, Carr highlights Rawls' *Theory of Justice* as an attempt to bring a somewhat contractualist⁶⁴¹ reinterpretation to Kant's universal principles,⁶⁴² where a student sets aside their own concept of the good for the identified principles of justice and socially recognised primary goods – 'liberties, opportunities, income and wealth'.⁶⁴³ Rawls presents the possibility of adopting an 'original position' of equality and fairness from which to derive just policy.⁶⁴⁴ Sandel notes this to be the 'liberal egalitarian view'.⁶⁴⁵

It is at least clear that challenging or affirming specific behaviours, or affirming societal norms and values, means a liberal educator is already moving a young person beyond the pursuit of their own self-determined well-being to have regard for the well-being of others. This is evidenced in the approach adopted within health education, with regards to sexual health outcomes. Fisher suggests that the moral development achieved through the community of enquiry in the classroom should develop values which are both personal and public i.e. related to the interests of the individual and related to the interests of others.⁶⁴⁶ As such, if a self-directed life is the ideal to be achieved, it could be argued that children must, at the very least, be brought up to understand that achieving this involves creating the conditions in which others can do the same: 'Can a concern for one's well-being be conceived in total abstraction from a concern with the well-being of other people?'⁶⁴⁷ At the very least, as Haydon suggests, moral decisions concerning sexual relationships cannot be viewed simply as a matter of self-regard, but must take into consideration the preferences and wishes of others through a process of 'informed consent'.⁶⁴⁸ This, as I noted earlier, has been carried through into policy discourse around young people's sexual health.

an Educated Public', G. Haydon (ed.), *Education and Values: The Richard Peters Lectures, Delivered at the Institute of Education, University of London, Spring Terms, 1985*, London: Institute of Education, University of London, 1987, 15-36, 19). However, while an educated public on MacIntyre's terms may indeed be a distant memory, he fails to extrapolate on how education can reconfigure its educational aims in light of this reality.

⁶⁴¹ Pointing to the theory of contractualism developed by French sociologist, Émile Durkheim, the main aim of moral education was to secure obedience to the rules of social contract.

⁶⁴² Carr, *Making*, 177.

⁶⁴³ Nelson, 'Liberal', 199. While concern is expressed that Rawls' norm of political justice has the potential to overshadow and dilute religious forms of reasoning (see, for example, Neill, 'Political', 34), there are also appeals for a more sympathetic reading of Rawls within theological discourse which see beyond this critique (see, for example, E. Gregory, 'Before the Original Position: The Neo-Orthodox Theology of the Young John Rawls', *Journal of Religious Ethics*, Vol. 35, No.2, 179-206).

⁶⁴⁴ J. Rawls, *A Theory of Justice*, Oxford: OUP, 1972, 12.

⁶⁴⁵ Sandel, *Justice*, 260.

⁶⁴⁶ Fisher, 'Philosophy', 61, 62.

⁶⁴⁷ Callan and White, 'Liberalism', 101.

⁶⁴⁸ Haydon, 'Personal', 510.

Therefore, developing a young person's identity, both in terms of their independence of thought and moral reasoning and decision-making skills, may be rightly defended as a worthwhile and necessary endeavour of education. However, moral education that focusses exclusively on individual judgment and rational enquiry is found wanting. As noted earlier, from a communitarian position, what results is the promotion of individual liberties at the expense of a commitment and identification with the goods of society and the community as a whole.⁶⁴⁹ Equally, the 'asocial individualism' of liberalism is critiqued for failing to take account of the community's role in shaping people's understanding of themselves and their values.⁶⁵⁰ As such, Sandel notes a fundamental problem with the 'deontological self': 'Where the self is unencumbered and essentially dispossessed, no person is left for *self*-reflection to reflect upon'.⁶⁵¹

In light of this communitarian critique, Nucci suggests that an understanding of moral development in education is moving towards an understanding of the context-specific nature of moral judgements.⁶⁵² Callan and White point to the political and educational theory of John Dewey as evidence of a model of moral education that nurtures a communitarian commitment.⁶⁵³ Dewey identified the moral role of the school as one of service to the wider society: 'The educational system which does not recognize that this fact entails upon it an ethical responsibility is derelict and defaulter'.⁶⁵⁴ It was the role and ethical responsibility of the school, he argued, to encourage and train the whole child for active participation in their network of social relationships, both within the school community and outside.⁶⁵⁵ Indeed, he went as far as to suggest that 'apart from participation in social life, the school has no moral end nor aim'.⁶⁵⁶

In developing the individual within community, Dewey's assertion, according to Sidney Hook, was that education was the primary means by which an individual's abilities

⁶⁴⁹ Callan and White, 'Liberalism', 104.

⁶⁵⁰ Mulhall and Swift, *Liberals*, 13.

⁶⁵¹ Sandel, *Liberalism*, 180.

⁶⁵² He refers to the 'social-cognitive domain theory' as shifting the developmental aims of moral education beyond Kohlberg's universal stage theory (Nucci, 'Education', 661). See, for example, C. Ball, M. Jambon and J.G. Smetana, 'The Social Domain Approach to Children's Moral and Social Judgements', M. Killen and J.G. Smetana (eds.), *Handbook of Moral Development* (2nd ed.), London: Psychology Press, 2014, 23-45.

⁶⁵³ Callan and White, 'Liberalism', 104.

⁶⁵⁴ J. Dewey, *Moral Principles in Education*, Illinois: Southern Illinois University Press, 1975 [1909], 7.

⁶⁵⁵ D.G. Mulcahy notes a modification in the purpose of liberal education, from that centred around the promotion of the intellect and theoretical knowledge to that which is concerned with the development of practical reason (D.G. Mulcahy, 'Liberal Education', J. Arthur and A. Peterson (eds.), *The Routledge Companion to Education*, Abingdon: Routledge, 2012, 3-10).

⁶⁵⁶ Dewey, *Moral*, 11.

were ‘discovered and liberated’.⁶⁵⁷ In comparing and contrasting the influence of John Dewey and Émile Durkheim, considered two ‘philosophical giants’ of moral education, Jeffrey Dill notes that ‘both had a distinctively moral vision for the role of education in modern society that held great promise for the future; it was a rational, secular morality that would bind pluralistic society together for a common end’.⁶⁵⁸ For Durkheim, this involved the individual being shaped to conform to the state’s moral ideal; for Dewey, moral development started with the moral self. However, in service of wider society, Callan and White equally express concern that Dewey’s theory of education does not give adequate attention to the challenges of pluralism, which gave rise to the ideal of individual liberty in the first place.⁶⁵⁹ In recognising the plurality of community interests, they suggest that moral education is presented with the challenge of preserving those liberal ideals which are shared by the political community at large, e.g. freedom of speech, while at the same time embodying those ideals within a shared vision of the common good in society.⁶⁶⁰

However, in the absence of any objective criteria by which to reason over different moral choices, the state educator has no justification for recommending one choice over another, apart from that which is conceived by the state. This ‘*epistemological* or pragmatic progressivism’ is reflected, Carr notes, in the philosophy of Dewey.⁶⁶¹ While Dewey may recognise the socializing function of the school, the moral knowledge which is imparted is socially conceived and constructed to serve this end, raising serious questions about the abandonment of any understanding of the objectivity of moral truth.⁶⁶² In Dewey’s defence, Hunter points out that this progressive era in moral education did not embrace a relativist approach to morality, but instead put its faith in the innate ability of the individual to reason morally and to act accordingly.⁶⁶³ In addition, it was not unconcerned with the training of character, but focussed on the development of autonomous characters with the ability to follow rationally prescribed rules.⁶⁶⁴ Yet in making a distinction between what she judges to be conservative moralism and liberal moralism, Amy Gutmann admits that nobody as yet has found a

⁶⁵⁷ S. Hook, ‘John Dewey: Afterword’, S. M. Cahn (ed.), *Philosophy of Education: The Essential Texts*, London: Routledge, 2009, 490-497, 491.

⁶⁵⁸ J.S. Dill, ‘Durkheim and Dewey and the Challenge of Contemporary Moral Education’, *Journal of Moral Education*, Vol. 36, No. 2, June 2007, 221-237, 222.

⁶⁵⁹ Callan and White, ‘Liberalism’, 105.

⁶⁶⁰ Callan and White, ‘Liberalism’, 107.

⁶⁶¹ Carr, ‘Problems’, 19.

⁶⁶² Carr, ‘Problems’, 19.

⁶⁶³ Hunter, *Death*, 61.

⁶⁶⁴ Peters, *Psychology*, 253.

way to teach the moral principle of autonomy: ‘Most conservative moralists set their moral sights too low, inviting blind obedience to authority; most liberal moralists set them too high, inviting disillusionment with morality’.⁶⁶⁵

Echoing MacIntyre’s critique of modernity, what we are witnessing, suggests Taylor, is a ‘new understanding of freedom and moral agency’.⁶⁶⁶ Commenting on the effect this understanding has on the agent’s ethical outlook, he notes, ‘neutrality is the property he *ought* to perceive in the world, if he is to realize his potentiality as the free agent of dignity and rational control’.⁶⁶⁷ However, there is a flawed meta-ethical position. In light of this, Anselm Winfried Müller points out, ‘you cannot give children reasons, or encourage them to find out for themselves, before you have provided them with starting points of understanding and of searching’.⁶⁶⁸ For if the end goal of education is rationally determined moral decisions through the promotion of personal autonomy, why should students accept this ‘illicit steering’ or be required to conform to the views of their educators? In justifying an approach to morality that is determined by the autonomous will, is there room for its complete rejection in view of another principled way of living?⁶⁶⁹ If the liberal educator suggests that there is, this would evidence, according to Callan and White, that autonomy is not a pre-requisite for well-being.⁶⁷⁰

Ultimately, as Carr observes, the difficulty arises when morality becomes a human endeavour seeking human consensus, for ‘who determines what counts as moral?’⁶⁷¹ Perhaps the relative, cognitive, structuralist approach to moral education, exemplified by Kohlberg, is the ‘best we can hope for’?⁶⁷² Or, as Richard Rorty argues, perhaps ‘unconditionality and absolutes’ should no longer be the end goal of moral inquiry:

⁶⁶⁵ A. Gutmann, *Democratic Education*, Princeton: Princeton University Press, 1987, 61.

⁶⁶⁶ C. Taylor, ‘Justice after Virtue’, *After MacIntyre: Critical Perspectives on the Work of Alasdair MacIntyre*, Cambridge: Polity Press, 1994, 16-43, 20.

⁶⁶⁷ Taylor, ‘Justice’, 20.

⁶⁶⁸ A.W. Müller, ‘Has Moral Education a Rational Basis?’, L. Gormally (ed.), *Moral Truth and Moral Tradition. Essays in Honour of Peter Geach and Elizabeth Anscombe*, Blackrock: Four Courts Press, 1994, 203-225, 222.

⁶⁶⁹ Callan and White, ‘Liberalism’, 99.

⁶⁷⁰ Callan and White, ‘Liberalism’, 100. Indeed, Lucas Swaine suggests that is a false presupposition for liberal governments to argue that personal autonomy promotes the good life any more than heteronomy (L. Swaine, ‘Heteronomous Citizenship: Civic Virtue and the Chains of Autonomy’, *Educational Philosophy and Theory*, Vol. 42, No. 1, 2010, 73-93).

⁶⁷¹ Carr, *Making*, 74.

⁶⁷² W. Van Haften, ‘Can Moral Education be Justified in Moral Education?’, B. Spiecker and R. Straughan (eds.), *Philosophical Issues in Moral Education and Development*, Milton Keynes: Open University Press, 1988, 17-42, 32.

all inquiry – in ethics as well as physics, in politics as well as logic – is a matter of reweaving our webs of beliefs and desires in such a way as to give ourselves more happiness and richer and freer lives. All our judgements are experimental and fallible.⁶⁷³

Perhaps, as Thomson suggests, we should simply approach young people's sexual decision-making with optimism and trust.⁶⁷⁴ If such a conclusion is drawn within education, Carr warns, 'we should at least be clear that modern liberal notions of individual entitlement and democratic consensus provide far from sure grounds for moral knowledge and truth'.⁶⁷⁵ As a result of this 'epistemological agnosticism'⁶⁷⁶ in moral education, the 'informed choice' approach to SRE gravitates towards a perceived relativist and subjectivist approach to moral truth with regards to sexual behaviour and relationships. As with the consequentialist approach to health promotion and health education, it provides a far from secure foundation on which to build a public sexual ethic. In view of this, it is hard to articulate, beyond the provision of information to meet sexual health targets, a coherent and adequate vision for 'teaching' the subject in the first place.

3.5.2 Critique 2: Inadequate Foundation for Moral Truth

In adopting a theory of moral education where decisions over the values by which young people should live are reduced to individual choice, Carr notes that the philosophical exploration of values themselves, axiology, is effectively disregarded.⁶⁷⁷ In abandoning the process of axiology, a liberal approach to moral enquiry leaves important questions concerning moral knowledge and moral truth unresolved. This epistemological danger can equally exist for those seeking to develop a communitarian approach to moral education, as demonstrated in Dewey's approach.⁶⁷⁸ As Sandel notes, even with a Rawlsian concept of the good, the lack of independent sanction against which to assess one's wants and desires creates epistemological and moral difficulties.⁶⁷⁹

⁶⁷³ R. Rorty, 'Kant vs. Dewey: The Current Situation of Moral Philosophy', *Philosophy as Cultural Politics: Philosophical Papers*, Cambridge: CUP, 2007, 184-202, 188.

⁶⁷⁴ See 1.4.2.

⁶⁷⁵ Carr, *Making*, 181.

⁶⁷⁶ Carr, 'Problems', 27.

⁶⁷⁷ D. Carr, 'Cross Questions and Crooked Answers: Contemporary Problems of Moral Education', J.M. Halstead and T.H. McLaughlin (eds.), *Education in Morality*, London: Routledge, 23-42, 31, 32.

⁶⁷⁸ See, for example, H. Haste, 'Communitarianism and the Social Construction of Morality', *Journal of Moral Education*, Vol. 25, No. 1, 1996, 47-55.

⁶⁷⁹ Sandel, *Liberalism*, 165.

Ultimately, the emphasis within educational philosophy on the process of moral enquiry in deriving moral knowledge leaves unresolved foundational questions on the objective nature of moral truth. For example, Wilson argued that, in developing a new approach to moral education, we are no longer searching for a new basis on which to derive moral principles, but instead identifying those principles ‘by which one judges between various moral codes and authorities’.⁶⁸⁰ When it comes to deciding on a moral code, he suggests ‘we must be prepared to start from scratch’,⁶⁸¹ for the authoritative foundations for moral education lie not in any prescribed belief or ideology, but in the value of education itself: ‘Education has its own values, chiefly concerned with the pursuit of learning, truth and reason, and must not be contaminated by beliefs and values external to itself’.⁶⁸² Moral education is, accordingly, something you do rather than something that involves delivering a prescribed set of right answers. The liberal approach is therefore ‘not ideological but logical or philosophical’.⁶⁸³

This instigated a move within moral education away from the perceived ‘authoritarian morality’ of religion, arguing against any logical connection between the two.⁶⁸⁴ Similarly, providing rational justification for one’s actions is, for Peters, a fundamental principle of a liberal education, where respect for truth ‘depends on reasons and not on the word or will or any man, body, or book’.⁶⁸⁵ The challenge, as Haydon points out, is making what he regards as an unimposed morality intelligible to the learner.⁶⁸⁶ Müller warns, however, against an unqualified tolerance within moral education, suggesting that both parents and teachers will ‘not find any lasting comfort in a subjectivist reinterpretation of the language of morals’.⁶⁸⁷ In addition, Carr and Steutel warn that the ‘the allegedly “impartial” goal of values clarification... appears to enshrine a deeply relativistic moral epistemology’.⁶⁸⁸

However, educating for rational autonomy should not infer the abandonment of all moral authority, including, as Callan and White point out, those values which have

⁶⁸⁰ J. Wilson, *A New Introduction to Moral Education*, London: Cassell Educational, 1990, 26.

⁶⁸¹ Wilson, *New*, 28.

⁶⁸² Wilson, *New*, 72.

⁶⁸³ Wilson, *New*, 62. See also P.H. Hirst, ‘The Logical and Psychological Aspects of Teaching a Subject’, R.S. Peters (ed.), *The Concept of Education*, London: Routledge & Kegan Paul, 1967, 44-60.

⁶⁸⁴ See, for example, M. Downey and A.V. Kelly, *Moral Education. Theory and Practice*, London: Harper and Row, 1978, 6. Downey and Kelly suggest that such a change reflects the changing nature of society and changes in the understanding of what it means to be human (15).

⁶⁸⁵ R.S. Peters, ‘Concrete Principles and the Rational Passions’, *Moral Education. Five Lectures*, Nancy F. Sizer and Theodore R. Sizer (eds.), Cambridge: HUP, 1970, 28-55, 55.

⁶⁸⁶ Haydon, *Teaching*, 84.

⁶⁸⁷ Müller, ‘Moral’, 206.

⁶⁸⁸ Carr and Steutel, ‘Virtue’, 3.

previously shaped and directed the young person, in particular those passed on by parents and community. Instead a liberal educator embraces a re-examination of them in light of the young person's own goals and aspirations.⁶⁸⁹ In addition, educating for rational autonomy does not amount to mere indifference with regards to moral knowledge and outcomes. For example, Wilson states: 'It is hardly in dispute that education, at least to some degree, should be concerned with getting children to understand and act on "good reasons" as these apply in various spheres and departments of knowledge and life'.⁶⁹⁰ In addition, Wilson, along with Norman Williams and Barry Sugarman, identify various features of morality relevant to moral education and components, by which to assess a 'morally educated person'.⁶⁹¹ At least part of moral education, Wilson affirms, will involve 'educating young people to realize the force of Kant's injunction to treat people always as ends and not as means'.⁶⁹² Nevertheless, Wilson's philosophy, suggests Elias, concludes that 'the morally educated person accepts the reasons of moral authority not because an authority has so stated but because the person recognizes that such acceptance is reasonable'.⁶⁹³

In addition, regarding the outcomes derived from autonomous reasoning and the moral quality of the consequential judgments, Harris recognises that the acquired knowledge and understanding should be to some degree '*worthwhile*'; however, he fails to extrapolate on what, or whose, standards it should be judged so.⁶⁹⁴ Reflected in his expressed moral position on sex education,⁶⁹⁵ he contends instead that there are no prescriptive 'facts' regarding the subject of morality.⁶⁹⁶ It is the role of the moral educator, he asserts, to help pupils '*think morally*'.⁶⁹⁷ Yet Haydon suggests that it is not unreasonable to advocate an approach to personal and social education which supports individual decision making, yet presents a normative framework within which such decisions are made.⁶⁹⁸

Peters defends a rational account of morality by distinguishing between form and content in moral education. He points to fundamental principles of morality which

⁶⁸⁹ Callan and White, 'Liberalism', 99.

⁶⁹⁰ J. Wilson, *Philosophy and Practical Education*, London: Routledge and Kegan Paul, 1977, 99.

⁶⁹¹ B. Sugarman, N. Williams and J. Wilson, *Introduction to Moral Education*, Harmondsworth: Penguin Books, 1967, 190.

⁶⁹² Wilson, *Philosophy*, 108.

⁶⁹³ Elias, *Moral*, 57.

⁶⁹⁴ A. Harris, *Teaching Morality and Religion*, London: George Allen and Unwin, 1976, 21.

⁶⁹⁵ See 1.3.

⁶⁹⁶ Harris, *Teaching*, 30.

⁶⁹⁷ Harris, *Teaching*, 30.

⁶⁹⁸ Haydon, 'Personal', 511.

provide the ‘form of our moral consciousness’ but do not guarantee or dictate a uniform content.⁶⁹⁹ He notes that they provide ‘general criteria of relevance for determining moral issues’ rather than offering any definitive set of moral rules,⁷⁰⁰ pointing as such to their ‘logical necessity’ and ‘practical necessity’ over their ‘moral superiority’.⁷⁰¹ Nevertheless, Hirst recognised that these ‘rational’ foundational principles of ‘fairness, truth-telling, freedom, consideration of interests, and respect for persons’⁷⁰² receive universal recognition, independent of any culture or religious belief;⁷⁰³ they are the principles that people consistently return to when justifying their actions.⁷⁰⁴ Similarly, in developing a conceptual framework for moral education, Wilson suggests that we already know the ‘“rules of the game”, we just don’t adhere to them’.⁷⁰⁵ In the spirit of liberal tolerance, Hirst’s ‘foundation planks’ become the categorical imperatives⁷⁰⁶ by which societal cohesion is maintained. As he suggests himself: ‘Surely it is irrational for me to approve of my acting in a way that I do not also approve for anyone else in this or a similar situation’.⁷⁰⁷ In a similar vein, Harris defends his sexual ethic by giving the example of a married man contemplating an affair with his secretary. In his moral reasoning, Harris suggests, he should only proceed if he accepts that it would be morally justifiable for anyone in his situation to do the same.⁷⁰⁸ However, it remains unclear who or what mediates between a sexual behaviour that one person may seek to justify, yet another finds morally abhorrent. Additionally, Hirst concedes that the understanding of foundational principles can and will develop.⁷⁰⁹

While Carr points to elements of social training and natural sentiment that may lead us to behave in a ‘moral’ way, for example, respecting the property of others, he argues it is the role of moral education to bring ‘meaning’ and ‘purpose’ to our way of living, to

⁶⁹⁹ R.S. Peters, *Authority, Responsibility and Education* (3rd ed.), London: George Allen and Unwin, 1973, 144, 145.

⁷⁰⁰ Peters, ‘Concrete’, 36.

⁷⁰¹ Peters, *Moral*, 180.

⁷⁰² Hirst, *Moral*, 46.

⁷⁰³ See Cooling, *Christian*, 18-19, 51-53, for further critique of Hirst’s position on the relationship between religion and education.

⁷⁰⁴ Hirst, *Moral*, 46.

⁷⁰⁵ Wilson, *New*, 28.

⁷⁰⁶ Imperatives were viewed by Kant as necessary actions in performing the practical good. He made a distinction between hypothetical imperatives and categorical imperatives: ‘If the action would be good only as a means to something else, the imperative is hypothetical; if the action is thought of as good in itself and therefore as necessary for a will which of itself conforms to reason as its principle, then the imperative is categorical’ (I. Kant, *Groundwork for the Metaphysics of Morals*, A. Zweig (tr.), T.E. Hill, Jr and A. Zweig (eds.), Oxford: OUP, 2002 [1785], 216). Kant points to the one categorical imperative (albeit in different formulas), a universal law, on which his ethic hinges: “Act only on that maxim by which you can at the same time will that it should become a universal law.” (Kant, *Groundwork*, 222).

⁷⁰⁷ Hirst, *Moral*, 45.

⁷⁰⁸ Harris, *Teaching*, 36.

⁷⁰⁹ Hirst, *Moral*, 49.

demonstrate what is ‘conducive to individual and social flourishing’.⁷¹⁰ What results from this liberal metanarrative, argues MacIntyre, is an emotivist culture, which lacks the criteria to determine whether moral judgments are true or false.⁷¹¹ For example, a worthwhile moral aim of SRE might be the promotion of responsible sexual behaviour but, as Reiss points out, defining what constitutes ‘responsible sexual behaviour’ within sex education material is invariably problematic.⁷¹² This is at least defined within sexual health promotion by an understanding of ‘safer’ sex. However, while promoting a particular religious viewpoint may leave a school susceptible to criticism over inappropriate indoctrination, health education delivered within an agnostic framework may be equally prone to such a critique. Indeed, Reiss suggests that such content may even be criticised for its ‘religionist’ tendencies.⁷¹³

Therefore, where the moral impetus within SRE policy is on helping the young person to think morally and clarify their own values and attitudes, it is essential to question, and offer a moral defence, for the basis on which to do so. For, while encouraging young people to think through and understand their choices is an essential educational endeavour, deriving moral standards on sexual behaviour from the exercise of their autonomous will alone not only denies an objective moral order beyond the conclusions of individual reason, but denies the contextual framing that inevitably informs our choice. Where advocates of a liberal approach to SRE acknowledge the decision making capacity of young people and the importance of moral enquiry, they falsely assume that ‘accessing good information is key to making these decisions’.⁷¹⁴

3.6 Conclusion: Incoherent and Inadequate Public Vision of Moral Education

An inevitable outcome of the liberal metanarrative of SRE discourse emerges; while seeking to promote the moral autonomy of the young person, a moral judgement on what constitutes ‘good information’ is made, informed by value judgements that are beyond the dictates of a young person’s autonomous will.⁷¹⁵ For even those who advocate a ‘values clarification’ approach in the classroom, when it comes to its

⁷¹⁰ Carr, ‘Cross’, 25.

⁷¹¹ MacIntyre, *After*, 12.

⁷¹² Reiss, ‘Food’, 101.

⁷¹³ Reiss, ‘Food’, 101.

⁷¹⁴ Blake and Frances, *Just*, 8.

⁷¹⁵ Brenda Almond suggests that such knowledge judgements are not made according to the intrinsic value of the information, but on a utilitarian assessment of its usefulness (B. Almond, ‘The Value of Knowledge’, R. Bailey, R. Barrow, D. Carr, C. McCarthy (eds.), *The SAGE Handbook of Philosophy of Education*, London: SAGE, 2010, 297-306, 300).

outworking, it is suggested that choices are restricted in view of those activities that might result in ‘serious danger’, where it is judged ‘the consequences of an unwise choice are not tolerable or that the alternatives can probably not be well enough understood to make a choice meaningful’.⁷¹⁶ In light of such reasoning, we are led to question what choices, if any, are currently restricted within SRE, in view of the fact that the consequences are judged to be intolerable or the choice cannot be regarded as meaningful. The moral parameters of such a restriction are clearly not set by the young person.

In effect, within a ‘values clarification’ approach to moral education what is being judged and affirmed is not the decision-making capacity of the young person or the process of rational inquiry, but the source, validity and ‘good’ of the value-laden information received. As Hauerwas states, and as I shall defend in Chapter 5, ‘we do not create moral values, principles, virtues; rather they constitute a life for us to appropriate. The very idea that we choose what is valuable undermines our confidence in its worth’.⁷¹⁷ At the very least, within the current liberal metanarrative, Halstead and Reiss point to fundamental liberal values, which would be thwarted if neutrality was extended to all behaviours, for example, the outworking of the values of human rights, equality and respect for persons would be undermined by the tolerance of rape, child abuse or other forms of exploitation.⁷¹⁸ As a result, there are inevitably sexual behaviours to which the prescriptive “thou shalt not” and the prohibition on choice is already morally and legally assumed.⁷¹⁹

In addition, in exploring the possible content of SRE programmes, and the values that shape that content, Ingham and Stone stress the ‘crucial importance of the values of mutuality and respect’, while at the same time judging information that advocates sex within the moral context of marriage ‘simply irrelevant and hopelessly idealistic’.⁷²⁰ Such a view is clearly not a moral conclusion arrived at through the rational, autonomous engagement of the young person, nor can one approach be accused of being more ‘moralistically based’ than the other.⁷²¹ Nevertheless, educators who present young people with an explicit moral reason for choosing one sexual and relational

⁷¹⁶ Harmin et al., *Values*, 35.

⁷¹⁷ Hauerwas, *Peaceable*, 3.

⁷¹⁸ Halstead and Reiss, *Values*, 25.

⁷¹⁹ I shall explore the legal parameters on sexual behaviour in more detail later in Chapter 4.

⁷²⁰ Ingham and Stone, ‘Young’, 202.

⁷²¹ Ingham and Stone describe abstinence-only based programmes as the ‘imposition’ of a ‘particular moralistically based approach’ (Ingham and Stone, ‘Young’, 204).

lifestyle over another, are dismissed for wrongly judging young people to be irrational and therefore in need of clear directives.⁷²²

Consequently, Carole Ulanowsky notes that a ‘clarification/information’ model of sex education does little to help young people deal with the challenges presented by a sex-saturated society:

For the mature educator who develops and delivers sex education, this may be sufficient base on which to build *her* life, but it can leave young people morally adrift, to be blown any which way by their natural hedonism as by the unscrupulous forces of a sex-exploitive society.⁷²³

She points out that many young people experience sexual intercourse, earlier than perhaps desired, as ‘they feel it is expected of them or because insufficient reasons have been provided as to why they shouldn’t’.⁷²⁴ Where a liberal moral framework will respond according to the principles of consent and the absence of harm, Halstead and Reiss question whether it provides a sufficient moral basis for evaluating the appropriateness of sexual behaviour.⁷²⁵ Instead they echo, as our own discussion has done, that the evidence points to the fact that young people’s greatest need is not more autonomy, but support and guidance as they develop their sexual values and attitudes.⁷²⁶ It is questionable, therefore, to assume that the moral framework of SRE is strengthened when the exploration of attitudes and values becomes ‘primarily a listening exercise’.⁷²⁷ Paul Vitz concludes: ‘Very simply put, the contradictions and incoherence of values clarification demonstrate that it is a simpleminded, intellectually incompetent system’.⁷²⁸

In addition, it would appear that the current moral narrative leaves teachers morally adrift. In reflecting on the existing Government guidance, Reiss points out that many teachers feel ill-equipped to handle debates around sensitive issues such as abortion, homosexuality and masturbation, and call for more detailed instruction on how and what to teach.⁷²⁹ Thus, a fundamental problem with the ‘informed choice’ framework for SRE is that sex educators are not only making moral judgments on what they

⁷²² Blake and Frances, *Just*, 8.

⁷²³ C. Ulanowsky, ‘Sex Education: Beyond Information to Values’, S.A. Mabud and M.J. Reiss (eds.), *Sex Education and Religion*, London: Islamic Academy, 1998, 19-34, 22.

⁷²⁴ Ulanowsky, ‘Sex’, 32.

⁷²⁵ Halstead and Reiss, *Values*, 63.

⁷²⁶ Halstead and Reiss, *Values*, 50.

⁷²⁷ Family Planning Association, *Sex*, 19.

⁷²⁸ P.C. Vitz, *Psychology as Religion: The Cult of Self-Worship* (2nd ed.), Eerdmans: Grand Rapids, 1994, 83.

⁷²⁹ Reiss, ‘What’, 133.

purport to be ‘good’ information, in the absence of philosophical discourse on the possible moral approaches to SRE, they inevitably equate ‘good information’ with ‘good’ decisions directed towards ‘good’ ends. However, Harris concludes that when it comes to the outcomes of moral education, ‘there are no simple, uncontroversial rules about what sort of results are ‘good’’.⁷³⁰ All things being equal, he suggests, happiness may be regarded as a ‘prime moral target’, but not in all circumstances. Apart from securing the goal of liberal education, that of producing independent, autonomous young people, and in the absence of a moral vision concerning the ‘ends’ of different choices, the educator can be forgiven for claiming moral indifference. As one school nurse reported: ‘I don’t consider I’ve failed if a girl gets pregnant as long as she’s got pregnant because she knew where advice was and chose not to access it’.⁷³¹ However, with what has been suggested to be the ‘growing pathologisation of teenage motherhood’,⁷³² the state has not and, arguably, cannot remain morally indifferent.

As such, we shall suggest that what emerges from the incoherence of an ‘informed choice’ approach to education is a social context in which, as Zygmunt Bauman observes, ‘the entitlements of sexual partners have become the prime site of anxiety’.⁷³³ Questions over the meaning and nature of sexual encounters give rise to such anxiety: ‘What sort of commitment, if any, does the union of bodies entail?’⁷³⁴ In addition, are there certain fundamental cultural values which are assumed and therefore not technically alternatives to be chosen or discarded? Should all alternative choices or value-approaches be judged of equal value and worth, both for the individual and society? Or is it simply inevitably the case that ‘most of our sex codes must now compete in the open market-place of ideas’?⁷³⁵

It is at least for the moment acknowledged that when it comes to SRE policy and practice, the promotion of enabling values does not disqualify the use of prescriptive values within individual school settings.⁷³⁶ However, where a perceived epistemological agnosticism is noted, what is emerging, in effect, within the moral discourse of SRE, is an implicit and explicit vision of health and well-being that, we will argue, provides a

⁷³⁰ Harris, *Teaching*, 37.

⁷³¹ Alldred and David, *Get*, 111.

⁷³² Arai, *Teenage*, 142.

⁷³³ Z. Bauman, *Liquid Love: On the Frailty of Human Bonds*, Cambridge: Polity Press, 2003, 51.

⁷³⁴ Bauman, *Liquid*, 51.

⁷³⁵ I. Rubin, ‘The Importance of Moral Codes’, I. Rubin and L.A. Kirkendall (eds.), *Sex in the Adolescent Years: New Directions in Guiding and Teaching Youth*, New York: Association Press, 1968, 107-111, 110.

⁷³⁶ Thomson, ‘Diverstiy’, 268.

less than human approach to moral education and human flourishing. For, with regards to the process of moral education, Carr points out that we are in danger of losing sight of the wider moral effect of education itself; where education ‘actually concerns *personal* formation’, he points out, ‘it is hard to see how it can avoid the transmission of values, or of substantial views of the good life, that go beyond mere cultivation of attitudes or disinterested tolerance and respect for others’.⁷³⁷ This echoes the embodied, interactive understanding of the learner who, according to Smith, is being formed and shaped by the surrounding cultural liturgies. It is, therefore, to the public moral narrative shaping our cultural understanding of the morality of sex, to which I must turn.

⁷³⁷ Carr, *Making*, 80.

Chapter 4

Glimpsing the ‘Moral Zeitgeist’: The Morality of Sex

4.1 Introduction: Exploring the Moral Narrative

Government policy on SRE, as witnessed in the brief historical account of its emergence as a public policy concern in Chapter 2, and evidenced in the moral judgements in policy discourse in Chapter 3, is extremely sensitive to changes in the socio-political climate, influenced profoundly by pervading public moral commitments. A central tenet of this thesis, therefore, is that the moral decision-making of the individual or, indeed, that of government policy-makers, does not happen in a moral vacuum, but is shaped by an existing moral narrative which determines a concept of the good and human flourishing. Culture and context matter for, as Sandel points out, the ‘sociological objection’ to liberalism is that a position of neutrality is impossible to achieve because, ‘try as we might we can never wholly escape the effects of our conditioning’.⁷³⁸

As noted earlier, moral education, in particular, is a reflection and appropriation of the existing cultural narrative. As such, in this Chapter I will explore the current moral narrative that is shaping a cultural understanding of sex and relationships in SRE policy discourse and providing answers to fundamental philosophical and ethical questions. Gutmann observes that, even within a liberal-democratic system of education, ‘agnosticism about the significance of sex is no more neutral than agnosticism about the existence of God’.⁷³⁹ Therefore, if, as it is suggested, teaching sexual literacy within education is just as important as teaching literacy in reading and writing,⁷⁴⁰ it is imperative that we understand the moral narrative that gives shape, meaning and content to the script.

In this Chapter, I shall critique, in particular, the moral proposition that there is nothing inherently moral about sex; instead, it is argued that the moral value of a sexual act is determined by the value that the individual moral agent places on it, framed within a libertarian political philosophy. This results in the moral conclusion, espoused by Archard, that ‘anything sexually goes so long as it is in private, between consenting

⁷³⁸ Sandel, *Liberalism*, 11.

⁷³⁹ Gutmann, *Democratic*, 108.

⁷⁴⁰ Tatchell, ‘ABC’, 63.

adults, and harms no-one else'.⁷⁴¹ In effect, sexual morality becomes a matter of social construction and consensus. Where sexual activity and desires are 'imbued with erotic meanings' by the surrounding culture, this is differentiated within sex education discourse from 'biological essentialism' or the biological function of reproduction.⁷⁴² Thus, where liberal values dominate our thinking, not only about sex, but about education, Halstead and Reiss conclude that this will inevitably have an impact on the theory and practice of sex education.⁷⁴³

There are those, however, who object to the social framing that inevitably gives shape to the existing 'cultural liturgies', and the implications for sex education. For example, a 'post-structuralist feminist perspective' on sex education seeks to critique the political nature of language and its development as a product of the value systems and meanings at work within any particular social context.⁷⁴⁴ Sex education, according to proponents such as Louisa Allen, should be re-imagined by placing the needs and desires of young people at the centre of programme effectiveness, rather than any constructed agenda or adult-determined measure of programme effectiveness.⁷⁴⁵ This echoes criticism directed against a school health education programme that views young people as in some way 'deficient'.⁷⁴⁶ While Allen does not dismiss the significant challenge in maintaining such a demanding practice, she views the promotion of the sexual agency of the young person as an issue of 'social/sexual justice'.⁷⁴⁷

Despite this emerging discourse, an automatic correlation within education policy and practice between the expressed concerns and needs of young people and the emerging policy and programme content is inherently problematic. As noted earlier, parents retain authority as primary educators; in addition, there are inevitably attitudes and values that a public education system will desire for its young people to appropriate. Sexual

⁷⁴¹ Archard, 'How', 448.

⁷⁴² Diorio, 'Sex', 988.

⁷⁴³ Halstead and Reiss, *Values*, 57.

⁷⁴⁴ See Alldred and David, *Get*, 24. It is beyond the remit of this thesis to explore this theory in any depth, but simply to acknowledge the role that it plays in engaging with and shaping the policy and practice of sex education, in particular, through its epistemological claims. In expounding on the development, commitments and, ultimately, self-destructible nature of poststructuralism, Stephen David Ross notes: 'Love is everything, sex is everything, language is everything, everything appears; and in this appearance vanishes only to reappear in another form' (S.D. Ross, 'Poststructuralism', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 829-839, 836).

⁷⁴⁵ L. Allen, *Young People and Sexuality Education: Rethinking Key Debates*, Basingstoke: Palgrave Macmillan, 2011, 2; see also L. Allen, *Sexual Subjects: Young People, Sexuality and Education*, Basingstoke: Palgrave Macmillan, 2005.

⁷⁴⁶ L.B. Hendry, K. Philip and J. Shucksmith, *Educating for Health: School and Community Approaches with Adolescents*, London: Cassell, 1995, 71.

⁷⁴⁷ Allen, *Young*, 181.

behaviour, as with any other behaviour considered within public discourse, is inevitably accompanied and shaped by ethical principles. As evidenced in Chapter 3, what we are witnessing is a public vision of the ‘good’ which is shaped and directed by the principle of autonomy. However, framing the philosophical ideals at work within health and moral education is a liberal moral commitment towards sex and relationships that will shape a public sexual ethic, and corresponding attitudes and values. An understanding of this is necessary if we are to more fully understand, and critically reflect on, the adequacy of the vision of human flourishing that currently informs the moral framework of SRE policy.

4.2 The Philosophy of Sex and Love

In exploring the ‘Moral Zeitgeist’ of contemporary philosophical discussions on sex, we will acknowledge, in particular, as we have done throughout, an emerging philosophical genre specifically concerned with the ‘concepts, propositions, and arguments’ affiliated to sex and love.⁷⁴⁸ In identifying the insights of key proponents of this genre, we will do so alongside a theological understanding of sexual identity and behaviour. The purpose will be to evidence how the moral positions adopted, and conclusions being drawn within contemporary philosophical discourse on the subject, are shaping the cultural metanarrative, and inevitably being carried through into SRE discourse.

Alan Soble, the founder of ‘The Society for the Philosophy of Sex’ and the editor of the formidable two-volume *Sex from Plato to Paglia: A Philosophical Encyclopedia* has played a significant role in this renewed philosophical discourse, prompting fundamental questions to be asked about the meaning and purpose of sex. While a comprehensive critique of Soble’s work and, indeed, the wider genre is beyond the remit of this thesis, in noting a number of the contributions to this philosophical enterprise, I will seek to sketch an understanding of the nature of sex and the moral principles that are emerging. In particular, I will explore the foundations of the moral epistemology therein and the implications for a public sexual ethic. It should be noted that Archard, whose philosophical position stands at the heart of our critique,⁷⁴⁹ sat on the Advisory Board for the *Philosophical Encyclopaedia*, and in his own philosophical

⁷⁴⁸ Soble, ‘Philosophy’, 784.

⁷⁴⁹ See 1.3.

discussion on sex education, he references the work of Alan Soble and Igor Primoratz for further reading on a philosophical analysis of sex.⁷⁵⁰

Soble offers a detailed analysis of the conceptual notions of sex, including sexual desire, sexual activity, and sexual pleasure. This is done in order to answer what, for him, are the first elementary questions of analytical philosophy: what these concepts *are*.⁷⁵¹ He identifies two further conceptual questions: ‘What are the logical links among all these central notions?’ and ‘Must this be so?’⁷⁵² Such an understanding, he suggests, is particularly important to any discussion on sexual ethics and indeed, sex education for, as he notes, if we don’t know what a sexual act is, we will not know what to engage in or avoid.⁷⁵³

Despite offering a detailed and useful, yet inconclusive and insufficient exposition of these concepts,⁷⁵⁴ what we will evidence in contributions to this philosophical endeavour are underlying presuppositions that set the moral tone for the philosophical discourse. This is evidenced by, in particular, the suggestion that contemporary culture is emerging out of the antisexual tradition of the past. Igor Primoratz, for example, points to the mid-sixties as the time when the philosophy of sex came ‘into its own’, partly explained, he suggests, by the many cultural and social factors contributing to the so-called sexual revolution. What was of marked significance in this era, he claims, was the fact that, where previously only the basic concepts of morals, politics, and law were analysed, increasingly the norms and values that shaped them were coming under critical scrutiny.⁷⁵⁵ The foundation, in 1977, of ‘The Society for the Philosophy of Sex and Love’,⁷⁵⁶ was a significant indicator of the growth in this philosophical genre.

Primoratz offers a selected and critical overview of the philosophers who, in his view, have historically contributed towards our understanding of sex within the West, suggesting that surprisingly only in recent times have professional philosophers

⁷⁵⁰ Archard, ‘Sex’, 547.

⁷⁵¹ Soble, *Philosophy*, 47.

⁷⁵² Soble, ‘Philosophy’, 785.

⁷⁵³ A. Soble, ‘Activity, Sexual’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 1: A-L, London: Greenwood Press, 2006, 15-25, 15.

⁷⁵⁴ Soble notes this himself, yet recognises the value of the process (Soble, ‘Activity’, 23).

⁷⁵⁵ I. Primoratz, *Ethics and Sex*, London: Routledge, 1999, 7. See also I Primoratz, *Human Sexuality*, Aldershot: Dartmouth, 1997, for a collection of significant contributions to the philosophical discourse on sex.

⁷⁵⁶ <http://www.philosophyofsexandlove.org>; accessed 09.11.14. See also A. Soble (ed.), *Sex, Love, and Friendship: Studies of the Society for the Philosophy of Sex and Love, 1977-1992*, Amsterdam: Rodopi, 1997, for a collation of 60 contributions to this philosophical discourse over the first 15 years of the Society.

engaged a ‘stronger *and* sustained’ interest in the subject of sex.⁷⁵⁷ This, he believes, is explained in part by the ‘strong metaphysical tradition’ of Western philosophy that tended to extol the function of the soul and treat the body, which included sexuality, as a necessary evil.⁷⁵⁸ In addition, where supreme value was placed on the life of rationality, freedom and inner peace, this could only be achieved by subduing the natural passions, including the sexual appetite.⁷⁵⁹ Soble identifies Western philosophy’s concept of sexuality, from the outset, as being equated with animal appetites, positioning it ‘on the disreputable side of the fence between mind and flesh’.⁷⁶⁰ This concept of sexuality was shaped by the worldview of asceticism which, emerging within the Platonic tradition, was influenced by early and medieval Christianity.⁷⁶¹

It is beyond the remit of this thesis to adequately critique this worldview position, apart from re-iterating the problems Hollinger identifies with it in terms of its theological deficiencies.⁷⁶² Nevertheless, it would yet appear to be a boldly distorted claim that the foundations and history of Western thought had *nothing* of value to say on the matter of sex or sexual morality, even if what was said is judged to have had a certain incoherence. For example, Michel Foucault, in his account of Greek sexual practices, notes the challenge in satisfactorily categorizing the many acts and practices that would in some way have been regarded as ‘sexual’. However, as he points out, this does not disregard or deter from the ethical considerations attached to these behaviours: ‘The manner in which this kind of pleasure was enjoyed was considered by them to be an ethical problem’. In addition, he suggests that the laws of the land were deemed insufficient to regulate sexual behaviour.⁷⁶³

⁷⁵⁷ Primoratz, *Ethics*, 3. His own work has been commended for its philosophical rigour; see, for example, I. Landou, ‘Ethics and Sex (Book Review)’, *Social Theory & Practice*, Vol. 26, No. 3, 2000, 527-529, 529.

⁷⁵⁸ Primoratz, *Ethics*, 4.

⁷⁵⁹ Primoratz, *Ethics*, 4.

⁷⁶⁰ Soble, *Philosophy*, 23.

⁷⁶¹ See Hollinger’s discussion on ‘Asceticism’ in his chapter on ‘Worldviews and Sex’ (*Meaning*, 44-51).

⁷⁶² Hollinger, *Meaning*, 50, 51.

⁷⁶³ M. Foucault, *The Uses of Pleasure: The History of Sexuality, Volume Two*, R. Hurley (tr.), Harmondsworth: Viking, Penguin Books, 1986 [1984], 36. In his exploration of *The History of Sexuality*, Foucault set out in his three-volume work to uncover what he described as the ‘regime of power-knowledge-pleasure’ that has shaped our discourses on human sexuality, essentially understanding sex as a political issue and sexuality as socially constructed, determined and shaped by existing power structures (M. Foucault, *The History of Sexuality: An Introduction, Volume One*, R. Hurley (tr.), New York: Random House, 1978 [1976], 11.) Commenting on Foucault’s theory, Hollinger notes that for Foucault ‘there is no inherent meaning to sex, only the power meanings used to suppress others’ (Hollinger, *Meaning*, 53). For further discussion see J. Sawicki, ‘Foucault, Michel (1926-1984)’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 361-370.

In addition, Trevor Stammers, in his exploration of the earliest accounts of sexual virtue, points to the influence of platonic thinking in a philosophical exploration of sex.⁷⁶⁴ Plato, he notes, makes reference to *eros* in the *Laws*, the *Republic*, as well as certain other works, with a more extensive exploration in the *Phaedrus* and the *Symposium*.⁷⁶⁵ In particular, Stammers observes in Plato's thinking the understanding that *eros* should to be directed towards a transcendent moral good.⁷⁶⁶ Dale Kuehne, in his evaluation of the understanding of sex within early Western civilization, referring to it as the 'tWorld' (traditional world), comes to a similar conclusion: 'For Plato and the tWorld, sexuality was a drive and appetite that had a function and purpose, but if not harnessed and channeled appropriately, it would enslave us'.⁷⁶⁷

In brief, therefore, it is important at the very least to acknowledge that the purpose of these earliest philosophical endeavours into the metaphysics of sex was to understand sexual activity in accordance with the form it took, in addition to the position it occupied within the wider purposes of human nature and activity. This invariably involved apportioning a moral significance to its content and context. As Foucault suggested: 'For classical Greek thought, this force was potentially excessive by nature, and the moral question was how to confront this force, how to control it and regulate its economy in a suitable way'.⁷⁶⁸

However, the Greeks, followed by the Romans, are not the only philosophers to feature within Primoratz's 'antisexual tradition'.⁷⁶⁹ Pointing to the influence of the early Christian philosophers, in particular Augustine and Aquinas, he notes that their contribution only added to this tradition the religious command, "Be fruitful and multiply!"⁷⁷⁰ As a result, he notes, they 'developed theories of sexuality which confined sex to heterosexual genital intercourse within monogamous marriage'.⁷⁷¹ Indeed, the moral philosophies of the Enlightenment, those proposed, for example, by Hume and

⁷⁶⁴ Primoratz, *Ethics*, 8.

⁷⁶⁵ T.G. Stammers, 'Before Virtue: Does Sexual Goodness Exist?', MA Thesis, St Mary's University College, Twickenham, 2007, 8.

⁷⁶⁶ Stammers, 'Before', 19.

⁷⁶⁷ D. Kuehne, *Sex and the iWorld: Rethinking Relationship beyond an Age of Individualism*, Grand Rapids: Baker Academic, 2009, 41.

⁷⁶⁸ Foucault, *Use*, 50. For a further discussion on sexual ethics in the ancient tradition see J. Sihvola, 'Sexual Desire and Virtue in Ancient Philosophy', R. Halwani (ed.), *Sex and Ethics: Essays on Sexuality, Virtue, and the Good Life*, Basingstoke: Palgrave Macmillan, 2007, 21-36.

⁷⁶⁹ Primoratz, *Ethics*, 5.

⁷⁷⁰ Primoratz, *Ethics*, 5.

⁷⁷¹ Primoratz, *Ethics*, 5.

Kant, fared no better in progressing a more positive view of sex, continuing instead to uphold the moral view of sex within the context of monogamous marriage.⁷⁷²

While a detailed exploration of even one of these moral philosophers and their conclusions on sex is beyond the remit of this thesis, the purpose of this brief discursive account is to highlight what would appear to be a flawed philosophical endeavour of conceptual analysis, one that simply dismisses centuries of rich philosophical thought, on account of it being ‘antisexual’. Such a charge arguably exposes the imposition of a subjective and pre-determined moral understanding of sex on to the philosophical task. In view of this, it is important to note for my own discussion, that the critique of the so-called ‘anti-sexual tradition’ has carried through into philosophical discussions on sex education. For example, Harris, in exploring the meaning of sex education, argues that ‘it is high time we adopted a wholly positive approach to sex education, instead of grudgingly throwing a few titbits of information in an atmosphere of moral gloom’.⁷⁷³ A positive approach to sex education infers a less restrictive or prescriptive attitude towards sexual morality, which seemingly is judged to be a hangover from the falsity of previously conceived ideas: ‘At present, the situation of sex education is rather like that of astronomy in the time of Galileo: hedged around with taboos and superstitions, and conducted by a process of tight-lipped indoctrination’.⁷⁷⁴ Additionally, when it comes to teaching about sex, Tatchell asserts: ‘Sex is portrayed overwhelmingly in a negative light, with far too much emphasis on the dangers rather than the pleasures – creating needless fears and anxieties’.⁷⁷⁵

However, it is unclear how adopting a ‘wholly positive approach’ to sex equates with adopting a definitively moral one. When it comes to sex education, Tatchell seeks to differentiate between a moral framework and a moralistic one, where seemingly inclusive, rather than exclusive, judgments are made on sexual behaviours and lifestyles.⁷⁷⁶ Nevertheless, within public moral discourse a moral judgement is still made, and behaviours will inevitably still fall on the right or wrong side of a morally

⁷⁷² Primoratz, *Ethics*, 6.

⁷⁷³ Harris, ‘What’, 10.

⁷⁷⁴ Harris, ‘What’, 10.

⁷⁷⁵ Tatchell, ‘ABC’, 64. See also J. Hirst, ‘‘It’s got to be about enjoying yourself’: Young People, Sexual Pleasure, and Sex and Relationships Education’, *Sex Education*, Vol. 13, No. 4, 2013, 423-436; K. Graling, S. Lamb and K. Lustig, ‘The Use and Misuse of Pleasure in Sex Education Curricula’, *Sex Education*, Vol. 13, No. 3, 2013, 305-318. Louisa Allen and Vanessa Cameron-Lewis nevertheless suggest that what they regard as the positive and negative views of sexuality should be taught together (L. Allen and V. Cameron-Lewis, ‘Teaching Pleasure and Danger in Sexuality Education, *Sex Education*, Vol. 13, No. 2, 121-132).

⁷⁷⁶ Tatchell, ‘ABC’, 65.

respectable scale. For Tatchell, immoral behaviour includes ‘coercive and unsafe sex, domineering and violent relationships’.⁷⁷⁷ However, ‘disordered relationships’ are equally judged to be those that are just ‘plain dull’, placing particular moral weight on a subjective level of individual satisfaction and fulfilment.⁷⁷⁸

Despite the ‘anti-sex’ rhetoric pitched against Western philosophical tradition, and evidenced in SRE discourse, what we can ascertain from the overwhelming view of philosophers throughout the ages, concludes Stammers, is that sexual goodness does exist.⁷⁷⁹ This is mostly derived, he suggests, from an awareness of the transcendent meaning of sex, a specific understanding of its function, or the longstanding recognition of the union which frames and results from the sexual act.⁷⁸⁰ However, a further exploration of key aspects of the emerging philosophy of sex and love reveal that a previously held moral knowledge, which accorded value and meaning to sexual behaviour within an identified relational matrix, is being largely replaced by a newly scripted liberal narrative.

4.2.1 A Conceptual Account of Sex

In adopting an analytical approach to his philosophical enquiry, Soble seeks to offer an account of what a sexual act is.⁷⁸¹ Thus, he argues that contact with, or use of, a sexual body part may not be necessary for an act to be described as sexual, e.g. hands can be used in a sexual way and flirting could be categorised as a sexual act.⁷⁸² In addition, acts that have the potential to be procreative or that serve as a precursor to coitus cannot sufficiently define a sexual act, for such a category excludes the practice of, for example, solitary masturbation.⁷⁸³ While he argues that pleasure may be used as a measure of the quality of the sexual act, Soble recognises that while some sexual acts generate no pleasure, this does not negate the sexual nature of the act.⁷⁸⁴ Primoratz responds to this by suggesting that if an action, however, does result in some experience of arousal and pleasure in the sexual parts of the body, it should be described as sexual.⁷⁸⁵

⁷⁷⁷ Tatchell, ‘ABC’, 65.

⁷⁷⁸ Tatchell, ‘ABC’, 63.

⁷⁷⁹ Stammers, ‘Before’, 88.

⁷⁸⁰ Stammers, ‘Before’, 88-92.

⁷⁸¹ Soble, ‘Sexual’, 15-25.

⁷⁸² Soble, *Philosophy*, 50.

⁷⁸³ Soble, *Philosophy*, 51.

⁷⁸⁴ Soble, *Philosophy*, 52.

⁷⁸⁵ Primoratz, *Ethics*, 46.

Nevertheless, where Soble concedes that his analysis is inclusive, Alan Goldman recognises the balance that needs to be struck between questions that are both conceptual and normative, and argues that what we need is a “reflective equilibrium” between the two.⁷⁸⁶ This is achieved, he believes, by thinking about ‘plain sex’: ‘Because sexual activity, like other natural functions such as eating or exercising, has become imbedded in layers of cultural, moral, and superstitious superstructures, it is hard to conceive it in its simplest terms’.⁷⁸⁷ He is critical of what he describes as the “means-end analysis”, where, in his view, an unnecessary end goal is attributed to sexual activity.⁷⁸⁸ These include the end goals of reproduction, love, communication and interpersonal awareness. The simplest analysis of sex, according to Goldman, is that ‘sexual desire is desire for contact with another person’s body and for the pleasure which such contact produces; sexual activity is activity which tends to fulfil such desire for the agent’.⁷⁸⁹

Goldman suggests that such a definition enables us to bypass the process of analysing specific sexual activities in order to account for their sexual nature, recognising instead that the desire for contact with another person’s body is a sufficient ‘minimal criterion’ to qualify a normal desire as sexual.⁷⁹⁰ However, despite his dismissal of the “means-end analysis”, it appears that his own analysis has itself attributed an external goal and purpose to sexual activity. For while he claims that the goal of sexual desire is simply to achieve the physical contact, without aiming for something that the physical contact might express,⁷⁹¹ the external goal and purpose is expressly one of pleasure.

For Primoratz, Goldman’s “down-to-earth” approach to sex is truly refreshing.⁷⁹² However, in his view, his ‘minimal criterion’ does not go far enough in giving a plain description of sex, as it maintains the interpersonal understanding of sexual activity, and thus excludes the practice of masturbation. In rejecting the idea that such an activity may be regarded as a substitute or deviation for contact with another person’s body, he therefore argues for the adoption of a ‘plainer’ view of sex: ‘Sexual activity can then be defined as activity that tends to fulfil sexual desire, while sexual desire is sufficiently

⁷⁸⁶ A.H. Goldman, ‘Plain Sex’, *Philosophy and Public Affairs*, Vol. 6, No. 3, Spring 1977, 267-287, 267.

⁷⁸⁷ Goldman, ‘Plain’, 267.

⁷⁸⁸ Goldman, ‘Plain’, 268.

⁷⁸⁹ Goldman, ‘Plain’, 268.

⁷⁹⁰ Goldman, ‘Plain’, 269.

⁷⁹¹ Goldman, ‘Plain’, 268.

⁷⁹² Primoratz, *Ethics*, 43.

defined as the desire for certain bodily pleasure, period'.⁷⁹³ However, such a view is problematic for Soble, for if there is no desire for the sexual act, e.g. in the case of a prostitute, that does not refute the sexual nature of the act.⁷⁹⁴

Notwithstanding the evolving nature of this philosophical discourse and the thought-provoking questions it raises, not least for public moral discourse,⁷⁹⁵ what is problematic with such analysis, from a theo-ethical standpoint, is that it attempts to strip sexual behaviour of any inherent moral significance. Indeed, Goldman concludes that his analysis of 'plain sex' achieves moral neutrality: 'To the question of what morality might be implied by my analysis, the answer is that there are no moral implications whatever'.⁷⁹⁶ That is to say, there are, in his view, no moral requirements that are intrinsic to sex:

We can speak of a sexual ethic as we can speak of a business ethic, without implying that business in itself is either moral or immoral or that special rules are required to judge business practices which are not derived from rules that apply elsewhere as well.⁷⁹⁷

It is possible, therefore, to strip sexual activity of any pervading and intrinsic moral significance: 'Sex affords us a paradigm of pleasure, but not a cornerstone of value'.⁷⁹⁸ In contrast, in expounding the purposes of sex within a Christian worldview, Hollinger presents a Biblical understanding of pleasure that is 'expected and honoured in sex'.⁷⁹⁹ In addition to Scriptural revelation, he notes that 'through reason and human experience a person can know that pleasure in physical intimacy must be set in a context and have some limits'.⁸⁰⁰ Within the Judeo-Christian worldview, the context for the intimacy and pleasure of the 'one-flesh' union between a man and a woman has been traditionally understood as the consummation of marriage.⁸⁰¹ However, pleasure, as configured within such 'religious discourse', is for Allen, a denial of the sexual agency of the young person and their legitimate right to seek sexual pleasure.⁸⁰²

⁷⁹³ Primoratz, *Ethics*, 46.

⁷⁹⁴ Soble, 'Sexual', 23.

⁷⁹⁵ For example, do all sexual acts merit equal moral value? Are there some acts that are judged to be of greater moral value than others, and if so, on what grounds?

⁷⁹⁶ Goldman, 'Plain', 271.

⁷⁹⁷ Goldman, 'Plain', 271.

⁷⁹⁸ Goldman, 'Plain', 283.

⁷⁹⁹ Hollinger, *Meaning*, 113.

⁸⁰⁰ Hollinger, *Meaning*, 114.

⁸⁰¹ Hollinger, *Meaning*, 95.

⁸⁰² L. Allen, 'Pleasure's Perils? Critically Reflecting on Pleasure's Inclusion in Sexuality Education', L. Allen, K. Quinlivan and M.L. Rasmussen (eds.), *The Politics of Pleasure in Sexuality Education: Pleasure Bound*, London: Routledge, 2014, 169-185, 179.

O'Donovan points to what he believes to be the consequences of such a conclusion, in that 'the more we detach erotic relationship from its natural ends, the more the element of play predominates, and with it the exploration of ingenuity and device within the erotic realm'.⁸⁰³ As such, Roger Scruton warns: 'A world without values is one in which all activity has an ending, but no activity has an end'.⁸⁰⁴ For example, for Jonathan Jacobs it is unclear in his judgment 'why there should be just *one* aim or purpose of sexual behaviour, or just one (small) set of conditions that defines perversity'.⁸⁰⁵ Indeed, it would appear that in arriving at a conclusion that subjective pleasure is the end of sexual behaviour, the inference is that *all* sexual acts, stripped of any objective meaning, are given equal value, for there is no criterion from which to argue otherwise.

4.2.2 Deconstructing Norms and Values

Emerging philosophies of sex have attempted to analyse sex on its own terms, free from cultural and moral 'baggage' which might somehow cloud judgement; nevertheless, the influence of culture is not overlooked. As Soble notes: 'The effects of knowledge, social expectations, and norms on our sexual pleasure (or our retroactive judgements about what we experienced) implies that the culture is surely an important influence on our sexuality'.⁸⁰⁶ In affirming the framing of the cultural narrative, MacIntyre points out that it is impossible to separate concepts from action: 'Every action is the bearer and expression of more or less theory-laden beliefs and concepts; every piece of theorizing and every expression of belief is a political and moral action'.⁸⁰⁷ Therefore, I am concerned, in particular, with how a contemporary analysis of the concept of sex and the beliefs imbued within this, are outworked in political and moral action within SRE policy discourse. I will principally note a re-evaluation of the norms and values that have traditionally shaped societies understanding of sexual activity, specifically the normative link between sex and procreation and sex and love.⁸⁰⁸

⁸⁰³ O'Donovan, *Begotten*, 20.

⁸⁰⁴ R. Scruton, *Sexual Desire: A Philosophical Investigation*, London: Continuum, 2006, 335.

⁸⁰⁵ J. Jacobs, 'Sexuality and the Unity of the Virtues', R. Halwani (ed.), *Sex and Ethics: Essays on Sexuality, Virtue, and the Good Life*, Basingstoke: Palgrave Macmillan, 2007, 65-76. He qualifies his statement later on by stating those behaviours that he suggests are 'always morally wrong (bestiality, necrophilia, engaging in sex with young children, for instance)', regarding such conclusions as self-evident (71).

⁸⁰⁶ Soble, *Philosophy*, 67. Rockney Jacobsen notes, in particular, the challenge of analysing sexual desire in light of 'multiple layers of social meaning' (R. Jacobsen, 'Desire, Sexual', *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 222-229).

⁸⁰⁷ MacIntyre, *After*, 61.

⁸⁰⁸ Primoratz, in *Ethics and Sex*, dedicates a Chapter to each one.

(a) Sex and Procreation

Primoratz identifies the historic and ongoing link between sex and procreation in giving an account of the nature and value of sexuality.⁸⁰⁹ His own rejection of this normative link is informed, in particular, by what he regards as the ‘extremely restrictive sexual ethic’ of Augustine and Aquinas, which understood sex in terms of its procreative end within marriage.⁸¹⁰ Primoratz suggests that Augustine’s own experience accounted for this ‘restrictive’ position, in attesting to the controlling power of sexual arousal over reason and will, recognising its potential to impact a person emotionally, physically and mentally.⁸¹¹ Hollinger notes that with Augustine we find a ‘very complex and nuanced theology of sex’.⁸¹² Nevertheless, while sexual abstinence was the preferred state⁸¹³, and ‘holy’ virginity esteemed as ‘the more perfect gift’,⁸¹⁴ Augustine did not reject the purposes and good of marriage, but defended matrimony on the grounds that it not only allowed for the procreation of children, but also for the fellowship between partners.⁸¹⁵ Further, in defence of Aquinas’ view of marital intercourse, John Finnis, for example, suggests that it is commonly misunderstood when it is limited solely to the intention of procreation. Instead, he states that Aquinas’ moral position accords with what he believed are behaviours which contribute to the good of marriage, the good of marital *fides* (fidelity).⁸¹⁶

In arguing, in particular, against a Catholic sexual ethic that draws a normative link between sex, marriage and procreation, Primoratz draws attention to what he regards as the internal inconsistencies. If the practice and intention of limiting sexual intercourse to

⁸⁰⁹ Primoratz, *Ethics*, 9.

⁸¹⁰ Primoratz, *Ethics*, 12.

⁸¹¹ G. O’Daly, ‘Augustine’, D. Furley (ed.), *Routledge History of Philosophy Volume II: From Aristotle to Augustine*, London: Routledge, 1999, 388-428, 402. This cautionary view of sexual desire carries into modern Catholic philosophical discourse, where, for example, Mary Geach acknowledges the potential of sexual desire to pervert our moral judgement: ‘the sexual passion often perverts thought, so that if we are lustful, we do not have a very good conception of what is just and what is prudent, when the satisfaction of our own desire is at stake’ (M. Geach, ‘Marriage: Arguing to a First Principle in Sexual Ethics’, *Moral Truth and Moral Tradition. Essays in Honour of Peter Geach and Elizabeth Anscombe*, Blackrock: Four Courts Press, 1994, 177-193).

⁸¹² Hollinger, *Meaning*, 48. See also E.A. Clark, ‘Augustine (Saint) (354-430)’, *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 74-83.

⁸¹³ O’Daly, ‘Augustine’, 401.

⁸¹⁴ St. Augustine, ‘Holy Virginity’, in R.J. Deferrari (ed.), *The Fathers of the Church. Saint Augustine: Treatises on Marriage and Other Subjects, A New Translation, Volume 27*, Washington: Catholic University of America Press, 1955 [401], 133-212, 143.

⁸¹⁵ In ‘The Good of Marriage’ he stated: ‘This does not seem to me to be a good solely because of the procreation of children, but also because of the natural companionship between the two sexes’ (St. Augustine, ‘The Good of Marriage’, in R.J. Deferrari (ed.), *The Fathers of the Church. Saint Augustine: Treatises on Marriage and Other Subjects, A New Translation, Volume 27*, Washington: Catholic University of America Press, 1955 [401], 1-51, 12).

⁸¹⁶ J. Finnis, *Aquinas*, Oxford: OUP, 1998, 145.

‘safe days’ is to avoid conception, for example, why then is contraceptive intercourse condemned?⁸¹⁷ Soble echoes this criticism: ‘One might argue that if God designed heterosexual coitus for procreation, restricting coitus to those times of the month when fertilization is unlikely to occur is unnatural and immoral’.⁸¹⁸ In defence of the logical consistency of Catholic practice, Anscombe argued in her papers ‘You can have Sex without Children’⁸¹⁹ and ‘Contraception and Chastity’,⁸²⁰ that a distinction could be drawn between acts that are intrinsically generative and intrinsically nongenerative in their intention. However, beyond what might be judged as internal inconsistencies of practice, what appears to be particularly objectionable are the normative presuppositions, advocated by philosophers like Anscombe, about the nature of sex and the purpose of marriage: ‘Anscombe does not *argue* for the proposition that nonmarital sex is morally impermissible. She *assumes* it’.⁸²¹ As such, it appears that Primoratz objects to this normative link between sex and procreation, primarily on account of the fact that it is relevant only to those who chose to uphold it. In contrast to Anscombe’s position, it is ‘merely *a* sexual ideal, not *the* ethics of sex’.⁸²²

Nevertheless, the potential of the reproductive function of heterosexual intercourse marks it out as a distinctive type of sexual activity. As such, it is noted that the elementary biological truth that intercourse is a reproductive activity cannot be regarded as a trivial matter.⁸²³ Although the ‘human good’ of the child may be excluded from sexual activity, Gormally points out that we can’t ‘pretend that sex has nothing to do with this human good’.⁸²⁴ Where reproduction is an obvious outcome of human sexual capacity, having a child may be regarded as a ‘common good’, relevant to all.⁸²⁵

Therefore, while ‘affirming the centrality of procreation’ within a Christian sexual ethic, sexual activity is also viewed as contributing more broadly to the good of marriage and

⁸¹⁷ Primoratz, *Ethics*, 15.

⁸¹⁸ Soble, *Philosophy*, 91.

⁸¹⁹ G.E.M. Anscombe, ‘You can have Sex without Children: Christianity and the new Offer’, *The Collected Philosophical Papers of G.E.M. Anscombe, Vol. 3: Ethics, Religion and Politics*, Oxford: Basil Blackwell, 1981, 82-96.

⁸²⁰ E. Anscombe, ‘Contraception and Chastity’, 1972, (<http://www.orthodoxytoday.org/articles/AnscombeChastity.php>; accessed 16.07.14).

⁸²¹ K. Burgess-Jackson, ‘Anscombe, G.E.M. (1919-2001)’, *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 50-56, 55.

⁸²² Primoratz, *Ethics*, 20.

⁸²³ A.R. Pruss, ‘From Love to Union as One Body’ in H. Watt (ed.), *Fertility and Gender: Issues in Reproductive and Sexual Ethics*, Oxford: The Anscombe Bioethics Centre, 2011, 17-27, 25.

⁸²⁴ L. Gormally, ‘Marriage and the Common Good’ in H. Watt (ed.), *Fertility and Gender: Issues in Reproductive and Sexual Ethics*, Oxford: The Anscombe Bioethics Centre, 2011, 28-44, 37.

⁸²⁵ Gormally, ‘Marriage’, 30.

the good of society.⁸²⁶ In addition, the normative link between sex and procreation is not limited to a Catholic sexual ethic. For example, Hollinger affirms that sex, by its very nature, is procreative. However, he supplements this affirmation with the caveat that he finds ‘no biblical or logical justification for contending that an inherently procreative act cannot employ stewardship in attempting to prevent conception’.⁸²⁷ Rowan Williams points out that, while recognising the theological significance of reproductive sex, neither Jesus nor Paul used it as a ‘rational or functional justification’ for marriage.⁸²⁸

Moreover, in rejecting a view of sex limited to procreation, contemporary philosophical discourse, as exemplified by Primoratz and Soble, appears to also fundamentally reject a view of sex limited to monogamous marriage. In response to Peter Geach’s judgement that sex outside of marriage is poisonous,⁸²⁹ Primoratz responds by suggesting that people have ‘come to hate sex in marriage and regard it as just as poisonous as sex outside it’.⁸³⁰ As such, Soble suggests that sex within marriage will provide decreasing amounts of pleasure as the novelty of sexual encounter diminishes, therefore, ‘spouses’ experiencing passion outside the marriage, after it has died in the marriage, may be a viable option’.⁸³¹ However, this is to make a value judgement on the quality of sex, rather than the relational nature and context of marriage or its moral good or end as an institution.

In view of these philosophical conclusions, and central to my own discussion, is the evidenced disjuncture between sex, procreation and marriage reflected in SRE policy discourse. For example, the relational values and norms, evidenced in the *SRE Guidance 2000*, advised that young people should learn the ‘value of family life, marriage, and stable and loving relationships for the nurture of children’.⁸³² However, at the same time, the Guidance also recognised there are ‘strong and mutually supportive relationships outside marriage’,⁸³³ seemingly putting marriage and non-marriage on an

⁸²⁶ J. Porter, *Natural and Divine Law: Reclaiming the Tradition of Christian Ethics*, Grand Rapids: Eerdmans, 1999, 221.

⁸²⁷ Hollinger, *Meaning*, 105. This is on condition that the methods employed are ethical.

⁸²⁸ R.D. Williams, ‘The Body’s Grace’, E.F. Rogers, Jr. (ed.), *Theology and Sexuality: Classic and Contemporary Readings*, Oxford: Blackwell, 2002, 309-321, 319.

⁸²⁹ P.T. Geach, *The Virtues*, Cambridge: CUP, 1977, 147.

⁸³⁰ I. Primoratz, ‘Sexual Morality: Is Consent Enough?’, *Ethical Theory and Moral Practice*, Vol. 4, No. 3, 2001, 201-218, 204, 205.

⁸³¹ Soble, *Philosophy*, 198.

⁸³² DfEE, *Sex*, 5.

⁸³³ DfEE, *Sex*, 4.

equal footing.⁸³⁴ In addition, in view of more recent changes in the public definition of marriage, Julian Rivers warns that the re-definition of marriage will sever the ‘presumptive connections’ which currently exist within society between marriage, childbearing and kinship.⁸³⁵

(b) Sex and Love

Alongside the dissolution of the normative link between sex and procreation, we can also evidence the dissolution of the normative link between sex and love, within both philosophical discourse and as it is outworked in policy discourse. For example, while an aspect of the attitudes and values content of SRE includes ‘learning the value of respect, love and care’,⁸³⁶ it is not clear in the Guidance whether these values are moral requirements or even ideals in a sexual relationship. Where Halstead and Reiss suggest that children and young people’s biggest need within sex education is not more information, but support and guidance in developing their sexual attitudes and values, this includes, they suggest, as part of educating the emotions, reflecting on the nature of love, including ‘sexual love, intimacy and desire’.⁸³⁷ It is increasingly clear, however, that among a number of the identified philosophers, the normative link between sex and love is being rejected. Soble, for example, points out that the many reasons people give for getting married, having sex or loving someone are so disparate that, for him, this ‘reinforces the idea that the three are not essentially linked’.⁸³⁸ However, once again, subjective observation is being translated into normative conclusions.

In contrast, Scruton’s analysis on the place of love within sexual relationships, for example, explores different philosophical questions and arrives at very different conclusions. In offering insight beyond a mere conceptual analysis of sexual desire, Scruton explores instead the purpose or end of sexual desire; in his view, this amounts to the channelling of our animal urges towards ‘an interpersonal aim, and an interpersonal fulfilment’.⁸³⁹ He recognises the capacity for erotic love to be a virtue, and, unlike Goldman, apportions ‘incomparable value’ to this exchange of love.⁸⁴⁰ In

⁸³⁴ Thatcher, ‘Sex’, 234.

⁸³⁵ J. Rivers, ‘Redefining Marriage: The Case for Caution’, *Cambridge Papers*, Vol. 21, No. 3, September 2012, 4.

⁸³⁶ DfEE, *Sex*, 4.

⁸³⁷ Halstead and Reiss, *Values*, 51. See also, J.M. Halstead, ‘Teaching about Love’, *British Journal of Educational Studies*, Vol.53, No. 3, September 2005, 290-305.

⁸³⁸ Soble, *Philosophy*, 206.

⁸³⁹ Scruton, *Sexual*, 289.

⁸⁴⁰ Scruton, *Sexual*, 337.

addition, unlike Soble, he regards sexual desire as “inherently ‘nuptial’”.⁸⁴¹ According to Scruton, the end goal of sexual desire is love: ‘Love is the fulfilment of desire, and therefore love is its *telos*’.⁸⁴²

However, the interpersonal nature of sex remains under critical scrutiny. Particular objection is taken to Scruton’s case for the inherent ‘individualizing intentionality’ of sexual desire, with Primoratz accusing him of being not only out of touch with common cultural experiences, but incorrect in his assessment: ‘The phenomenon of unfocused sexual desire, sexual hunger not directed at anyone in particular but felt as hunger and desire none the less, would seem to present an obvious counterexample to Scruton’s central thesis’.⁸⁴³ However, it would equally point to the god-like danger that Lewis apportioned to *eros*.⁸⁴⁴ In addition, Primoratz questions his understanding and use of the term ‘interpersonal’, recognising that while humans are on the whole ‘interested in sexual access to other humans, rather than physical objects, or animals, or inflatable dolls’, the other may simply be ‘a person’ rather than ‘the total, unique person he or she is’.⁸⁴⁵ Where all impersonal sex is regarded as perversion, Stammers suggests that such ‘sweeping over-inclusiveness does leave him (Scruton) open to understandable challenge’.⁸⁴⁶ In addition, to emphasise the irreplaceable desire for the other is, according to Soble, to defy experiential knowledge, as experience would show that one desire is often replaced with another.⁸⁴⁷ As such, when it comes to love, Soble claims, we should forget the ““forever” thesis’.⁸⁴⁸

Identifying with this ‘uphill struggle’ of combining sex with love, Primoratz draws on Alan Goldman’s assessment of the ‘internal tension’ between the two.⁸⁴⁹ Goldman concludes that while sex, as a form of recreation and a necessary ‘outlet’ for desire, is pleasurable and thus enjoyable, it does not contribute towards the ‘lasting kind of value which enhances one’s whole life’.⁸⁵⁰ Love, on the other hand, occupies a superior standing: ‘By contrast, love typically develops over a long term relation; while its pleasures may be less intense and physical, they are of more cumulative value’.⁸⁵¹ As

⁸⁴¹ Scruton, *Sexual*, 339.

⁸⁴² Scruton, *Sexual*, 339.

⁸⁴³ Primoratz, *Ethics*, 27.

⁸⁴⁴ C.S. Lewis, *The Four Loves*, London: HarperCollins, 2002 [1960], 135.

⁸⁴⁵ Primoratz, *Ethics*, 29, 30.

⁸⁴⁶ Stammers, ‘Before’, 66.

⁸⁴⁷ Soble, *Philosophy*, 172.

⁸⁴⁸ Soble, *Philosophy*, 129.

⁸⁴⁹ Primoratz, *Ethics*, 31.

⁸⁵⁰ Goldman, ‘Plain’, 283.

⁸⁵¹ Goldman, ‘Plain’, 283.

Primoratz concludes, ‘there is casual sex, but love is never casual’.⁸⁵² He draws his conclusions on the basis that sex, stripped of any inherent moral significance, should be enjoyed on its own terms, whether in a loving relationship or in a casual encounter. His argument appears simply to rest on the presumption that when it comes to sex and love ‘the combination does not seem to be an obvious and necessary one’.⁸⁵³ The only moral precondition is that informed and freely given consent is given and the person is apportioned due respect. In contrast, Halwani tightens the moral boundaries by suggesting that casual sex may still be wrong, even if fully consensual, in view of the consequences, for example, unplanned pregnancy and STIs, identifying these as ‘an “external” reason for its wrongness’.⁸⁵⁴

However, what appears particularly objectionable to Scruton’s understanding of a normative link between sex and love is the implied obligation for sexual exclusiveness and the condemnation of certain sexual practices. Indeed, such a ‘restriction’ is judged by Grayling to be both an ‘unnatural’ and ‘unkind’ arrangement.⁸⁵⁵ Recognising that the power of sexual desire ‘poses a threat (moral or prudential) to love’, Soble accepts that love will inevitably suffer; however, multiple sexual relations may not, in themselves, be inherently immoral.⁸⁵⁶ Similarly, in his account of what constitutes virtuous sexual behaviour, Halwani concludes that promiscuity, sex work and open marriages can equally lead to a flourishing life.⁸⁵⁷

As I will explore in more detail in Chapter 5, the nature and meaning attached to sexual love has placed disproportionate value on *eros*, in comparison to other understandings of love. Bertrand Russell described romantic love as ‘the source of the most intense delights that life has to offer’.⁸⁵⁸ He commended its value: ‘In the relation of a man and woman who love each other with passion and imagination and tenderness, there is something of inestimable value, to be ignorant of which is a great misfortune to any human being.’⁸⁵⁹ However, as Hollinger points out, the value he placed on love was rooted in an ‘ethical egoism’ and conditional on the freedom and spontaneity from which it sprung, with the end being the happiness and pleasure that it generated for the

⁸⁵² Primoratz, *Ethics*, 31.

⁸⁵³ Primoratz, *Ethics*, 31.

⁸⁵⁴ R. Halwani, ‘Casual Sex’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 136-142, 138.

⁸⁵⁵ Grayling, *Future*, 28.

⁸⁵⁶ Soble, *Philosophy*, 195.

⁸⁵⁷ R. Halwani, *Virtuous Liaisons: Care, Love, Sex and Virtue Ethics*, Chicago: Open Court, 2003, 169.

⁸⁵⁸ Russell, *Marriage*, 46.

⁸⁵⁹ Russell, *Marriage*, 46.

individual.⁸⁶⁰ As such, according to his utilitarian calculus, he defended practices including pre-marital sex and adultery.⁸⁶¹

There is evidence of this normative disjuncture between sex and faithful commitment amongst young people. For example, the findings of an MTV survey in 2008 revealed that, of the 1,000 young people questioned, 40% believed that one-night stands are “no big deal”, and one third of young people believed it is acceptable for someone to have had as many as 10 sexual partners by the age of 21.⁸⁶² With a marked expansion in its use, Bauman suggests that the ‘love’ word no longer possesses the promise and intentionality that it once did. Standards, he asserts, have been lowered: ‘One night stands are talked about under the code name of ‘making love’.⁸⁶³ Within our ‘contractual sensate society’, Pitirim Sorokin argues, an increasing desire and appetite for sensory values has triumphed over our contractual duties and relationships.⁸⁶⁴ This ‘interchangeability of function-bearers’⁸⁶⁵ is what happens, contends Thielicke, when sex is reduced to a mere biological function: ‘Wherever sexual chaos, i.e., exchange of partners at will, prevails, we are confronted with a crisis, a breakdown of personal *being*, of personhood’.⁸⁶⁶

However, despite evidence of this culturally constructed normative disjuncture between sex and love, Halstead and Reiss argue that love is the missing dimension of sex education. While recognising the difficulty in articulating and discussing in a classroom context, they nevertheless observe that sex and love are two concepts that are closely interconnected and mutually complement one another, pointing out that ‘the lessons of history, many people’s experience and formal research all suggest overwhelmingly that the combination of sex and love is both enriching and elevating.’⁸⁶⁷

In addition, it is worth noting that Primoratz, while critiquing Scruton’s moral assumptions on the interpersonal nature of sex, does recognise that his vision of human sexual experience may well be regarded as an ‘ideal’, i.e., ‘richer, more fulfilling, more

⁸⁶⁰ Hollinger, *Meaning*, 25, 26.

⁸⁶¹ S.J. Odell, ‘Russell, Bertrand (1872-1970)’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 944-948.

⁸⁶² M. Beckford and A. Jamieson, ‘Britain is among Casual Sex Capitals of the Western World, Research claims’, *The Daily Telegraph*, 30th November, 2008, (<http://www.telegraph.co.uk/health/healthnews/3536598/Britain-is-among-casual-sex-capitals-of-the-Western-world-research-claims.html>; accessed 10.02.12).

⁸⁶³ Bauman, *Liquid*, 5.

⁸⁶⁴ P.A. Sorokin, *The Crisis of our Age* (2nd ed.), Oxford: Oneworld, 1992, 160.

⁸⁶⁵ Thielicke, *Ethics*, 23.

⁸⁶⁶ Thielicke, *Ethics*, 24.

⁸⁶⁷ Halstead and Reiss, *Values*, 130.

worthwhile than casual sex'.⁸⁶⁸ He concedes, however, that ideals are at the same time only ideas and 'cannot be legislated for universal guidance; they cannot generate moral prohibitions and cannot ground condemnation of those who chose to do otherwise'.⁸⁶⁹ With different conclusions drawn over the nature of love and the nature of sex, what we are left with are disparate value judgements over the intrinsic association between the two.

However, in light of the inevitable disparity and, if, as suggested, Scruton's 'ideal' of sexual relations cannot amount to a normative precondition, it prompts the question as to why the ideal of free and informed consent and respect for persons requires universal moral acceptance? While Scruton is warned of presupposing certain norms rather than the descriptive task generating certain norms,⁸⁷⁰ it appears that his critics have brought their own normative presuppositions to the philosophical task: 'Mutual free and informed consent, in the absence of third-party harm, guarantees that sexual acts are moral. No law of God supplements this principle of proper relations among humans'.⁸⁷¹ This is reflected in Archard's conclusion on how we should teach sex, and would appear to be the moral prerogative within a secular humanist worldview, which seemingly requires no justification. Instead, it is taken increasingly to be the unquestioned and unchallengeable rule of ethics that 'all moral thinking must lie under the government of the Harm Principle'.⁸⁷² However, it is unclear why this ethical 'ideal' should hold any more credence than any other within a socially constructed normative framework, including those that shaped the supposed 'anti-sexual' tradition of the past. Indeed, as Primoratz concludes, even if sexual ideals were deemed to have moral significance, they would amount to simply moral ideals rather than definitive rules on behaviour.⁸⁷³

4.2.3 Emerging 'Moral Zeitgeist': The Amoralism of Sex

The purpose of glimpsing the 'Moral Zeitgeist' with regards to a philosophical exploration of sex is to identify the moral conclusions that are being drawn within the current liberal metanarrative on sexual morality and the impact on SRE discourse. In addition to the deconstruction of sex from identified normative ends, it should be noted

⁸⁶⁸ Primoratz, *Ethics*, 30.

⁸⁶⁹ Primoratz, *Ethics*, 30.

⁸⁷⁰ Primoratz, *Ethics*, 28.

⁸⁷¹ Soble, *Philosophy*, 91.

⁸⁷² A.C. Grayling, *Thinking of Answers: Questions in the Philosophy of Everyday Life*, London: Bloomsbury, 2010, 326.

⁸⁷³ Primoratz, *Ethics*, 171.

that contemporary philosophical discourse has engaged the view that sex has no intrinsic moral significance. For example, in setting out what ethics is not in *Practical Ethics*, Peter Singer states: ‘So the first thing ethics is not, is a set of prohibitions particularly concerned about sex. Sex raises no special moral issues at all’.⁸⁷⁴ He briefly defends his position:

Decisions about sex may involve considerations of honesty, concern for others, prudence and so on, but there is nothing special about sex in this respect, for the same could be said of decisions about driving a car. (In fact the moral issues raised by driving a car, both from an environmental and from a safety point of view, are much more serious than those raised by having sex.).⁸⁷⁵

Reflecting the anti-sexual pre-suppositions identified in earlier discussions, his sexual ethic may conceivably be coloured by the fact that he views discussion on ethics and morality generally to be too closely connected with the ‘sexually-obsessed morality of conservative Christianity’.⁸⁷⁶

Nevertheless, Goldman adopts the same analogy, noting that ‘immoral’ conduct on the road is judged so because it places others in danger ‘a circumstance which, when avoidable, is to be condemned in any context’.⁸⁷⁷ While no-one could deny the moral significance of decisions made behind the wheel of a car, Geach argues that ‘car driving is not the manifestation of a fundamental human inclination, in the way that sexual activity is’.⁸⁷⁸ If we were to compile a list of things essential for a ‘well-ordered human being’, she adds, sexuality would inevitably be on the list, whereas the ability to drive a car may invariably be absent. Her conclusion, of course, presupposes that there is a need to order the human passions and that there is conceivably a right ordering when it comes to sexual matters, invariably founded on a belief about the fundamental nature and purpose of human sexuality.

Primoratz similarly deduces that the same moral rules and principles that apply to sexual behaviour equally apply to non-sexual behaviour: ‘In sex, just as in non-sexual matters, we can hurt, harm, coerce, deceive, or exploit others, or default on our promises and commitments – and we are morally required not to do so’.⁸⁷⁹ Thus, he concludes: ‘Rape is not wrong as *sexual* battery, but as sexual *battery*’.⁸⁸⁰ Goldman arrives at the

⁸⁷⁴ P. Singer, *Practical Ethics*, Cambridge: CUP, 1979, 2.

⁸⁷⁵ Singer, *Practical*, 2.

⁸⁷⁶ P. Singer, *How are we to live?: Ethics in an Age of Self-interest*, Oxford: OUP, 1997, 19.

⁸⁷⁷ Goldman, ‘Plain’, 281.

⁸⁷⁸ Geach, ‘Marriage’, 181.

⁸⁷⁹ Primoratz, *Ethics*, 173.

⁸⁸⁰ Primoratz, *Ethics*, 174.

same conclusion.⁸⁸¹ Halwani, however, raises objection to this position, believing that it is wrong *because* of the sexual nature of the violation. In his view, such an act demonstrates intemperance, a vice specific to sexual behaviour and feelings, which does not contribute to human flourishing.⁸⁸²

Offering a further nuanced position, Jones acknowledges that there are ‘special features of sex that impose special obligations’.⁸⁸³ Drawing on the comparison of a person performing surgery on another, he suggests that a special obligation of care is required for both acts in view of the vulnerability of the other and the potential for damage. However, the same could be said of flying a plane or removing a wisdom tooth; there is equally a special obligation of care needed due to the vulnerability of the other and the potential for damage.

The comparisons being drawn between sex and other activities would seem to indicate an incoherent and disjointed understanding of the aims, purposes and moral end of sexual desire and activity. It is evident, at least, that such a comparison fails to give full weight to the social framing that inevitably accompanies any sexual union, in addition to the nature of the motivating factors, including the self-seeking, insatiable nature of lust. Out of all the human desires, it is sexual desire, concludes Bauman, that strives for togetherness and union, and ‘renders any human being, however accomplished and in other respects self-sufficient, incomplete and wanting – unless united with another’.⁸⁸⁴ In pursuit and fulfilment of this sexual union, Geach points out that this bodily passion has the ability to present its own fulfilment as essential to an individual’s future happiness, reflecting the permanent attachment that is signified by the sexual act, in addition to its potentiality for destruction. As such, Rowan Williams notes the moral risk and ambiguity that sexual desire exposes: ‘For my desire to persist and have some hope of fulfilment, it must be exposed to the risks of being seen by its object’.⁸⁸⁵

Nevertheless, as noted already, the aim, purpose and moral end of sex has been reduced to a paradigm of pleasure. Interpreted within the arena of sexual rights and liberty, pleasure has gained in value and significance, particularly evident among proponents of humanist sexology: ‘We assert that physical pleasure within the context of meaningful human relationships is essential, both as a moral value and for its contribution to

⁸⁸¹ Goldman, ‘Plain’, 281.

⁸⁸² Halwani, *Virtuous*, 172.

⁸⁸³ Jones, ‘Sex’, 63.

⁸⁸⁴ Bauman, *Liquid*, 38.

⁸⁸⁵ Williams, ‘Body’s’, 312.

wholesome social relationships’.⁸⁸⁶ As Primoratz concludes, pleasure is a definitive aspect when examining the nature of sex: ‘What else could it be? What else remains when we put aside its biological aspect and its romantic and expressive potential?’⁸⁸⁷

In the face of a perceived amoral position on sex, the emergence of pleasure as a moral value for guiding sexual activity is notably problematic, not least in light of the fact that pleasures are highly subjective; within human experience there are many different types of pleasures. As a result, even the earliest proponents of utilitarianism had difficulty in measuring the comparative value of pleasures. As MacIntyre retorts: “‘But which pleasure, which happiness ought to guide me?’”⁸⁸⁸ While Bentham did not make a distinction between the quantity and the quality of pleasure,⁸⁸⁹ Mill viewed the pleasure of the mind superior to the pleasure of the body: ‘Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification’.⁸⁹⁰ As such, the value of pleasure amounts to more than mere sensuous self-indulgence, but it is also accorded an intrinsic value.⁸⁹¹ The intrinsic value corresponds to the intrinsic nature of the human being: ‘It is better to be a human dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied’.⁸⁹² As Sandel notes, with such a statement Mill moves outside of his own moral framework, identifying a measure of human dignity that is not derived from our desires: ‘The higher pleasures are not higher *because* we prefer them; we prefer them because we recognize them as higher’.⁸⁹³

It is evident that the concepts of pleasure and desire are receiving greater scrutiny in discourse on sex education, indeed, perceived to be ‘increasingly accepted as a ‘good’ within sexuality research’.⁸⁹⁴ They are also increasingly evident in policy guidance. For example, in describing high quality SRE in the recent supplementary guidance, the authors note that it should be delivered by people trained and confident in talking about

⁸⁸⁶ Kirkendall, *New*, 17.

⁸⁸⁷ Primoratz, *Ethics*, 41.

⁸⁸⁸ MacIntyre, *After*, 64.

⁸⁸⁹ As pointed out by Odell, ‘Consequentialism’, 195.

⁸⁹⁰ Mill, ‘Utilitarianism’, 279.

⁸⁹¹ Crisp, *Mill*, 32, 33.

⁸⁹² Mill, ‘Utilitarianism’, 9.

⁸⁹³ Sandel, *Justice*, 56.

⁸⁹⁴ L. Allen, K. Quinlivan, and M.L. Rasmussen, ‘Introduction: Putting Pleasure under Pressure’, L. Allen, K. Quinlivan and M.L. Rasmussen (eds.), *The Politics of Pleasure in Sexuality Education: Pleasure Bound*, Abingdon: Routledge, 2014, 1-11, 3.

issues which include pleasure, and sex should be taught as a 'normal and pleasurable fact of life'.⁸⁹⁵

It is important to note, of course, that this discussion is not questioning the potential pleasure associated with sexual experience, but the moral status apportioned to it, and the challenges that invariably emerge when seeking to use pleasure as a gauge for assessing the moral legitimacy of sexual behaviour. As Trevor Stammers points out, sexual pleasure is powerful and easily obtainable, and people will understandably engage in it unless they are presented with a good reason for refraining.⁸⁹⁶ In particular, he notes that if we are to effect any change in sexual behaviour, we must invariably question the role pleasure plays in colouring our moral understanding of sex, for 'neither abstinence nor condom-use are likely behaviours in the absence of even a rudimentary moral understanding of sex'.⁸⁹⁷ For, as he suggests, the first denies any sexual pleasure while the second reduces it, at least for men.

Fundamentally, where pleasure has emerged as a 'good' end, if not the end of sexual activity, this, according to Gormally, is to apportion pleasure an incorrect value for, in his view, the 'value of pleasure is measured by the value of the activity or experience in which one takes pleasure'.⁸⁹⁸ As pleasure remains a purely subjective experience, making it impossible to place a moral value on the other person's sexual preference and behaviour, it raises important questions around the moral limits a state can impose on sexual diversity. According to Bentham, the welfare value of a pleasure or a pain is to be determined, among other factors, according to its duration and intensity.⁸⁹⁹ Thus, acts such as rape, paedophilia and incest, Odell suggests, could be judged immoral on account of the measure of harm done to the victim, outweighing the pleasure experienced by the perpetrator.⁹⁰⁰ However, the same calculus applied to practices such as incest, bestiality and necrophilia may invariably give rise to a different moral conclusion.⁹⁰¹ Of course, there are fundamental judgements on human dignity and well-being that are factored into value judgements on such sexual behaviours, as

⁸⁹⁵ Brook et al., *Sex*, 5.

⁸⁹⁶ T.G. Stammers, 'The Imperative of Sexual Ethics', (<http://www.bioethics.ac.uk/news/the-imperative-of-sexual-ethics.php>; accessed 10.11.11).

⁸⁹⁷ Stammers, 'Imperative'.

⁸⁹⁸ Gormally, 'Marriage', 31.

⁸⁹⁹ J. Bentham, 'An Introduction to the Principles of Morals and Legislation', A. Ryan (ed.), *John Stuart Mill and Jeremy Bentham: Utilitarianism and Other Essays*, London: Penguin Books, 2004 [1824], 65-111, 86. According to Crisp, the other characteristics also mentioned by Bentham of certainty, propinquity, fecundity and purity, are not relevant to a measurement of the welfare value (Crisp, *Mill*, 22).

⁹⁰⁰ Odell, 'Consequentialism', 197.

⁹⁰¹ Odell, 'Consequentialism', 197.

demonstrated in the Sexual Offences Act 2003,⁹⁰² but these clearly lie outside of a consequentialist moral framework.

Nevertheless, when it comes to the morality of individual sexual practices, John Harris echoes the views of Singer and Goldman in concluding:

There is no reason to suppose that there is such a thing as sexual morality in the sense of a morality which provides grounds for moral judgments about sexual desires or practices which cannot be shown to be immoral in any of the ways which would make such practices immoral if they involved no sexual elements at all.⁹⁰³

While it is apparent that Harris and his contemporaries do not seek to eradicate the application of moral principles to sexual behaviour, they at the same time do not recognise an intrinsic association between the two. Instead they seek to ‘demolish the very tenacious idea that there is something good, or at least morally respectable, about things or practices or even inclinations that can be thought of as being, in some sense, natural’.⁹⁰⁴ In his view, there is nothing intrinsically right or wrong about any sexual practice. Even sexual practices, according to Harris, which may be regarded as ‘obscene and disgusting’,⁹⁰⁵ are not for this, or any other reason, immoral: ‘There is nothing wrong with sex of any kind including fetishism, bestiality, necrophilia, buggery, incest, paedophilia and the variety approved by the missionaries’.⁹⁰⁶ It is the ‘general immorality’ of acts that involve ‘violation, injury exploitation and so on’ that are objectionable and the sexual attitudes that express love and respect for others that are ‘morally preferable’.⁹⁰⁷

While his morality is grounded in consequentialist principles, we should note that those values that fall within the scope of ‘general morality’ do so on a non-consequentialist basis. What he wishes to establish is an ethic that could be universally applicable. Singer states that ethics requires us to ‘go beyond “I” and “you” to the universal law, the universalisable judgement, the standpoint of the impartial spectator or ideal observer, or whatever we chose to call it’.⁹⁰⁸ Singer’s preference utilitarianism involves taking into account the interests and preferences of not only those closest to us, but indeed our enemies, as we decide what we ought to do. However, as with Dawkins’

⁹⁰² See 4.4.2.

⁹⁰³ J. Harris, *The Value of Life: An Introduction to Medical Ethics*, London: Routledge and Kegan Paul, 1985, 190.

⁹⁰⁴ Harris, *Value*, 175. However, an understanding of ‘natural’, as I shall explore in Chapter 5, is dependent on what we understand by nature.

⁹⁰⁵ Harris, *Value*, 177.

⁹⁰⁶ Harris, *Value*, 191.

⁹⁰⁷ Harris, *Value*, 191.

⁹⁰⁸ Singer, *Practical*, 11.

sexual ‘commandment’, such an approach, by his own admission, can provide perhaps a persuasive but not a conclusive ethic.

If sex can be reduced to a subjective paradigm of pleasure, and sexual practices in themselves judged intrinsically amoral, in so far as they do not cause harm, we must recognise the potential impact for SRE. For it is evident that the significance apportioned to ‘plain sex’ is being translated into discourse around policy and practice. Programme content, in particular, has come under criticism for its failure to engage with a ‘discourse of desire’.⁹⁰⁹ The inference is that if the value and end of sex is, as Primoratz suggests, ‘the desire for certain bodily pleasure, period’, then sex education programmes fail if they do not engage with different means of arousing sexual pleasure: ‘Pupils wanted information about ways of interacting sexually that could be exciting and even satisfying, but which stopped short of intercourse’.⁹¹⁰

As such, the discourse of pleasure and desire is argued to be an essential element in responding to young people’s need for information and seen as providing ‘counter discourse to education based on fear and pathology’.⁹¹¹ Young people, it is argued, need space to articulate and express their desires, where pleasure becomes a construct of the individual’s sexual preference. However, in associating sexual desire with the realisation of individual identity, the logical question arises as to why, in the name of liberal equality, should the Curriculum not be expanded to include teaching on all sexual practices that have the potential to maximise individual sexual satisfaction and pleasure, for example, auto-eroticism or fetishism?⁹¹² After all, if, as Tatchell notes, ‘there is no ‘one-size-fits-all’ when it comes to sex and love’,⁹¹³ and education is reduced to ‘dispelling ignorance and imparting knowledge’, he concludes: ‘Sex

⁹⁰⁹ See L. Measor, K. Miller and C. Tiffin, *Young People’s Views on Sex Education: Education, Attitudes and Behaviour*, London: RoutledgeFalmer, 2000, 125. Making reference to the critique proposed by Michelle Fine (M. Fine, ‘Sexuality, Schooling and Adolescent Females: The Missing Discourse of Desire’, *Harvard Educational Review*, Vol. 58, No. 1, 1988, 29-53), in which she notes the absence of a ‘discourse of desire’ from sex education curricula in New York City schools, particularly for females, Measor et al. suggest that such a discourse is noted by pupils as absent from current programme content in their English schools, in particular, information on sexual feelings and desires. As one pupil noted: ‘My school is quite open, but it never discusses very intimate things. We discuss contraception, but not sex’ (125).

⁹¹⁰ Measor et al., *Young*, 128.

⁹¹¹ A. Allen and M. Carmody, “‘Pleasure Has No Passport’: Re-visiting the Potential of Pleasure in Sexuality Education”, *Sex Education*, Vol. 12, No. 3, September 2012, 455-468, 462.

⁹¹² Carr, ‘Between’, 175.

⁹¹³ Tatchell, ‘ABC’, 68.

education has an obligation to give all the facts and tell the whole truth about every kind of sex and relationship'.⁹¹⁴

A similar attitude is reflected in the question and answer section on a NHS website, *Respect Yourself*, designed to provide information for young people from the age of 13; it responded to a question concerning the normality of having sexual fantasies over dolphins with: 'Sex and normal don't really go together. People get turned on by some very weird things and this is perfectly normal. As long as you are not hurting anyone else – then it is ok. Although, sex with animals is illegal (fantasising is not)'.⁹¹⁵ However, while pleasure, as suggested earlier, has become the 'good' of sex it, at the same time, is regarded as inherently meaningless. Allen and Carmody point out that, in contrast to desire, 'pleasure is only related to itself, it does not represent anything and therefore cannot be counterfeit. Pleasure is free of use, almost devoid of meaning'.⁹¹⁶ Reflecting on 'ethical sex', Carmody suggests, also requires 'consideration of the interrelationship between desire, acts and pleasure and their impact on others'.⁹¹⁷ A secular humanist worldview admits to offering no clear answer to the question of the 'natural place' of sex within human purpose.⁹¹⁸ As such, with the application of a liberal moral framework, Carr suggests, it is unclear what amounts to harm in the absence of a clearly defined notion of human flourishing. While sexual activity is increasingly regarded as a necessary precondition, without a sufficient moral understanding of sex itself, we may end up simply concurring with Thomas Nagel's conclusion: 'Even if perverted sex is to that extent not so good as it might be, bad sex is generally better than none at all'.⁹¹⁹

4.3 Shaping the 'Moral Zeitgeist': The Epistemological Deficit of Naturalism

In view of the increasingly popular view that sexual acts intrinsically carry no moral significance, it is evident that a consequentialist calculation is deemed to be a sufficient

⁹¹⁴ Tatchell, 'ABC', 69.

⁹¹⁵ NHS Warwickshire, 'Respect Yourself: Your Questions', (<http://www.respectyourself.info/your-questions/#>; accessed 26.02.12). Concern over this website was raised by the Family Education Trust. In highlighting what they judged to be explicit and inappropriate information, they received reassurance from the Government health minister that she did not find the content troubling, instead placing priority on the need to provide young people with easily accessible information on relationships and sex (Family Education Trust, 'Controversial 'Sexual Health' Website for Teens receives Support from Health Minister', *Bulletin*, Issue 150, March 2013, 6).

⁹¹⁶ Allen and Carmody, "Pleasure", 463.

⁹¹⁷ M. Carmody, *Sex and Ethics: Young People and Ethical Sex*, South Yarra: Palgrave Macmillan, 2009, 89.

⁹¹⁸ Grayling, *Future*, 24.

⁹¹⁹ T. Nagel, 'Sexual Perversion', *The Journal of Philosophy*, Vol. 66, No. 1, 1969, 5-17, 17.

means of determining sexually moral behaviour, as evidenced in Archard's moral position. It is, therefore, imperative for my own discussion that I explore the ontological underpinnings of this liberal ethical theory, as well as critique its application and its influence in shaping a public sexual ethic.⁹²⁰ Only in answering the ontological questions, as Sire suggests, are we able to observe and answer questions on the nature of the external reality and understand the foundations of epistemology.⁹²¹ Therefore, in light of the 'epistemological agnosticism' evident in current SRE discourse in Chapter 3, I am particularly concerned with the ontological position that is undergirding the moral narrative of policy and practice, and the overarching cultural narrative of sex that is evident in a public sexual ethic.

As noted in Mill's theory of education, it was hoped that free enquiry and the pursuit of moral conclusions through empirical knowledge would advance society and increase human happiness.⁹²² As such, John Lennox suggests that utilitarianism is 'at its heart atheistic'.⁹²³ In seeking to derive ethical conclusions from natural properties, it would appear that it is the flexibility that utilitarianism affords to the moral agent that understandably appeals to its followers. As J.C.C. Smart and Bernard Williams suggest, 'with its empirical attitude to questions of means and ends it is congenial to the scientific temper and it has flexibility to deal with a changing world'.⁹²⁴ A principal attraction is that it does not require an appeal to a transcendent source of moral authority.⁹²⁵ Thus, where moral principles are reduced to human constructs, naturalism is the worldview from which moral knowledge is derived. Born out of the emergence of Enlightenment reason, it persists today, suggests Sire, for two reasons:

First, it gives the impression of being honest and objective. One is asked to accept only what appears to be based on facts and on the assured scientific investigation of scholarship. Second, to a vast number of people it appears to be coherent.⁹²⁶

⁹²⁰ Of course, this is not to suggest that the application of the harm principle is only evident within a naturalist worldview. It is also evident in shaping a sexual ethic through other worldview lenses, including a Christian one (See, for example, M.M. Fortune, *Love Does No Harm: Sexual Ethics for the Rest of Us*, London: Continuum, 2006).

⁹²¹ J.W. Sire, *Naming the Elephant: Worldview as a Concept*, Downers Grove: IVP, 2004, 51.

⁹²² See 3.3.

⁹²³ Lennox, 'Utilitarianism's', 18. Lennox also points out that adopting the utilitarian principles of minimizing pain and maximizing pleasure is not necessarily to be equated with a denial of a theistic worldview, highlighting Joseph Fletcher's *Situation Ethics* (1966). However, he notes that the founding father of utilitarianism, Jeremy Bentham, pointed from the outset to the underlying naturalist premise of his theory: 'Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them alone to point out what we ought to do, as well as to determine what we shall do' (Bentham, 'Introduction', 65).

⁹²⁴ J.J.C. Smart and B. Williams, *Utilitarianism: For and Against*, Cambridge: CUP, 1973, 73.

⁹²⁵ See, for example, J. Rachels, *The Elements of Moral Philosophy*, London: McGraw Hill, 2003, 93.

⁹²⁶ Sire, *Universe*, 92.

However, in echoing Mark Linville's "Argument from Evolutionary Naturalism", and his critique of the epistemological claims therein, I shall argue that 'theists can, where naturalists cannot, offer a framework on which our moral beliefs may be presumed to be warranted'.⁹²⁷

It is important to note that a naturalist worldview is evident not only within philosophical discourse, but has also come through strongly in 'objective' public research into sexual behaviours. Alfred Kinsey and his colleagues, in instigating a scientific, ground-breaking study of sexual behaviours, noted: 'No theory, no philosophy, no body of theology, no political expediency, no wishful thinking, can provide a satisfactory substitute for the observation of material objects and of the way in which they behave'.⁹²⁸ However, as with contemporary philosophical analysis of sexual concepts, the purpose of the research was not to draw moral conclusions, but simply provide an empirical account of patterns of sexual behaviour: 'This is first of all a report on what people do, which raises no questions of what they should do, or what kinds of people do it'.⁹²⁹

Nevertheless, it is evident that moral conclusions are being drawn from empirical research. For example, the first British National Survey of Sexual Attitudes and Lifestyle (NATSAL), instigated as a response to the lack of empirical evidence on sexual behaviour in Britain,⁹³⁰ noted the traditional conventions that 'still colour our moral judgement'.⁹³¹ Instead, it was inferred that sexual morality should be a matter of social construction in order to accommodate social convention. For example, in encouraging the modification of health advice to accommodate current sexual preferences, it was suggested that health educators should use the survey results to

⁹²⁷ M.D. Linville, 'The Moral Argument', W.L. Craig and J.P. Moreland (eds.), *The Blackwell Companion to Natural Theology*, Chichester: Wiley-Blackwell, 2009, 391-448, 392. His argument, he points out, is not 'an argument for the existence of God, but only for the falseness of EN' (394). In addition, Linville notes that while a naturalistic worldview is, strictly speaking, tenable without the scientific theory of evolution, he suggests: 'Naturalism *sans* Darwinism- like Tarzan *sans* loincloth-is lacking in essentials. It is a worldview at a loss of explanation' (395). See further, M.D. Linville, 'The Moral Poverty of Evolutionary Naturalism', P. Copan and W.L. Craig (eds.), *Contending with Christianity's Critics: Answering New Atheists and Other Objectors*, Nashville: B&H Publishing Group, 2009, 58-73.

⁹²⁸ P.H. Gebhard, A.C. Kinsey, C.E. Martin and W.B. Pomeroy, *Sexual Behaviour in the Human Female*, London: W.B. Saunders Company, 1953, 9.

⁹²⁹ A.C. Kinsey, C.E. Martin and W.B. Pomeroy, *Sexual Behaviour in the Human Male*, London: W.B. Saunders Company, 1948, 7. The Kinsey Institute, founded in 1947, continues to work towards 'advancing sexual health and knowledge worldwide' (<http://www.kinseyinstitute.org/about/index.html>; accessed 12.11.14).

⁹³⁰ Field et al., *Sexual*, ix.

⁹³¹ Field et al., *Sexual*, 230.

‘harness those attitudes most likely to support sexually healthy behaviour’.⁹³² For, as the report noted, it would seem futile to encourage ‘monogamy and sexual restraint on a population heavily committed to polygamy and sexual licence’.⁹³³ Such a position reflects the belief of Archard that sex education should ‘work with, and not against the grain of the social realities in which young people find themselves’.⁹³⁴ However, in the face of such reasoning, O’Donovan point out that people are ‘thoughtless’ in their public reasoning if they ‘fail to distinguish custom (like eating bacon at breakfast) from their moral obligation (like protecting their children from danger)’.⁹³⁵ ‘A reflective culture’, he suggests, ‘finds its final justification of human acts outside local tradition or custom, however, sacred’.⁹³⁶

However, in view of the utilitarian principles shaping policy discourse around SRE and shaping the moral framework in which sexual behaviour is understood, it is necessary to draw attention to what is argued to be the fundamental epistemological flaw of utilitarian thinking - the hedonistic assumption that something is good in itself, based solely on the premise that we are pleased with it, or that it is desired.⁹³⁷ Accordingly, a sexual act is judged, not in view of a particular inherent moral quality, but in light of the consequences of the act. According to G.E. Moore, Mill’s ethical theory primarily falls down on account of the so-called ‘naturalistic fallacy’, i.e. the ‘failure to distinguish clearly that unique and indefinable quality which we mean by good’.⁹³⁸ Mill’s attempt to equate ‘good’ with ‘desired’ fails to recognise the very clear differentiation between ‘desired’ and ‘desirable’, i.e., ought to be desired or deserves to be desired. In Mill’s defence, however, Crisp points out that he did not claim that goodness could be equated with desired, recognising instead the obvious deviation of many people’s desires. However, in appealing to people’s experience as a source of knowledge, he did, as Crisp suggests, say that desire offers the only ‘*evidence*’ for the goodness of something.⁹³⁹ He could only, in effect, offer a defence of his theory based on empirical observation, the acceptance of which would be left in the hands of the reader: ‘But if this doctrine be

⁹³² Field et al, *Sexual*, 232.

⁹³³ Field et al, *Sexual*, 231.

⁹³⁴ Archard, *Impact*, 13.

⁹³⁵ O. O’Donovan, ‘Reflections on Pluralism’, G. Graham (ed.), *The Kuyper Center Review. Volume One: Politics, Religion and Sphere Sovereignty*, Grand Rapids: Eerdmans, 2010, 1-13, 6.

⁹³⁶ O’Donovan, ‘Reflections’, 6.

⁹³⁷ Mill, ‘Utilitarianism’, 278.

⁹³⁸ G.E. Moore, *Principia Ethica*, London: CUP, 1966, 59.

⁹³⁹ Crisp, *Mill*, 74, 75.

true, the principle of utility is proved. Whether it is so, or not, must now be left to the consideration of the thoughtful reader'.⁹⁴⁰

Beauchamp and Childress note that Moore, along with other more recent utilitarians, have expanded on a hedonistic understanding of utility, to include values such as 'beauty, knowledge, health, success, understanding, enjoyment, and deep personal relationships', which contribute to well-being.⁹⁴¹ As such, it would appear, however, that Moore fares no better in giving an objective account of the good. MacIntyre points out that Moore, despite advocating the 'non-natural' property of good, the 'intuitions' that are incapable of being proved or disproved, drew his own conclusions on the things that are 'ideal' or goods or ends in themselves and the 'truths' of moral philosophy: 'that personal affections and aesthetics enjoyments include *all* the greatest, and by far the greatest, goods we can imagine'.⁹⁴²

The same complaint could be filed against contemporary philosophies of sex, which derive moral values from a conceptual understanding of the nature of sex. It is possible to see the same fallacy being argued within moral discourse on sex education. Where, for example, White suggests that a morality for sex education should be derived from young people's sexual desires which, he argues, gives reasons for actions, such a proposition can provide no objective statement on sexual morality, nor indeed provide a means of reconciling competing sexual preferences.⁹⁴³

There is a longstanding understanding, exemplified in the enlightenment philosophy of David Hume, that there is no rational basis for deriving an ethical 'ought' from nature, and to do so is, not only a failure to recognise that nature gives conflicting signals, but it is to commit an essential category mistake.⁹⁴⁴ As Lennox notes, Hume recognised that 'observations of nature are first-order activities, whereas value judgments are second-order, that is, they do not belong to the same category'.⁹⁴⁵ In his variety of 'epistemological moral skepticism', Linville points out that Hume offered neither a meta-ethical nor a meta-physical account of moral reality.⁹⁴⁶ While an evolutionary naturalist adopts the premise that moral beliefs are developed as a bi-product of natural

⁹⁴⁰ Mill, 'Utilitarianism', 314.

⁹⁴¹ Beauchamp and Childress, *Principles*, 355.

⁹⁴² Moore, *Principia*, 189; MacIntyre, *After*, 15.

⁹⁴³ White, 'Aims', 9.

⁹⁴⁴ D. Hume, *A Treatise of Human Nature*, London: OUP, 1975 [1740], 469, 470.

⁹⁴⁵ J. Lennox, *Gunning for God: Why the New Atheists are missing the Target*, Oxford: Lion Hudson, 2011, 101.

⁹⁴⁶ Linville, 'Moral', 415.

selection, Linville notes that they must further ask ‘whether there is a reason to suppose that the *belief-producing mechanisms* of our moral beliefs are *truth-aimed*?’⁹⁴⁷ As such, while evolutionary naturalists at least give an account of our cognitive faculties in deriving moral reason, Linville suggests that it ‘inspires no more confidence than that displayed by Hume’.⁹⁴⁸

For those who continue to argue that moral truth can be derived from nature or science, they cannot resolve the same epistemological hurdle. For example, Sam Harris argues that morality is simply an underdeveloped branch of science: ‘Once we see that a concern for well-being (defined as deeply and as inclusively as possible) is the only intelligible basis for morality and values, we will see that there *must* be a science of morality’.⁹⁴⁹ However, by starting with the assumption that concern for well-being is in and of itself good, he is already presupposing a moral conviction which has not been derived from science. In addition, he suggests that our conceptions of ‘well-being’ are evolving, and while we may be able to use science to maximise human well-being, as in the sphere of medicine, we cannot use science to determine why we should.

In addition in responding to Harris and other ‘New Atheists’, Angus Ritchie presents a robust case for why secular worldviews cannot account for the human capacity for moral reasoning and the ability to discern moral knowledge.⁹⁵⁰ If, as Singer suggests, we should prefer an ethic of practicality over one based on sound logic,⁹⁵¹ why should we even trust human reason to determine a workable ethic if, in staying true to an evolutionary naturalist worldview, humanity’s rational faculties are a consequence of irrational blind chance? It follows that, in its attempt to offer a coherent worldview, naturalism ends up being ‘logically self-defeating’.⁹⁵²

As such, a naturalistic worldview, without any sound intellectual defence of our capacity for moral knowledge, also provides us with no definitive moral obligation to behave in a certain manner, thus destroying the very possibility of absolute moral values. As Lewis reiterated:

⁹⁴⁷ Linville, ‘Moral’, 404.

⁹⁴⁸ Linville, ‘Moral’, 417.

⁹⁴⁹ S. Harris, *The Moral Landscape: How Science Can Determine Human Values*, New York: Free Press, 2010, 28.

⁹⁵⁰ A. Ritchie, *From Goodness to God: Why Religion Makes Sense of our Moral Commitments*, London: Theos, 2012.

⁹⁵¹ Singer, *How*, 204.

⁹⁵² K.R. Samples, *A World of Difference: Putting Christian Truth-Claims to the Worldview Test*, Michigan: Baker Books, 2007, 212.

From propositions about fact alone no *practical* conclusion can ever be drawn' for one is 'trying to get a conclusion in the imperative mood out of premises in the indicative mood: and though he continues trying to all eternity he cannot succeed, for the thing is impossible.'⁹⁵³

As a consequence, Douglas Groothuis warns that naturalism is a prime source of our culture's 'truth decay', and contains within it 'the philosophical seeds of its own destruction'.⁹⁵⁴ He points to nihilism as the end result of postmodern presuppositions: 'When everything is deconstructed, no original remains'.⁹⁵⁵ Anthony Giddens suggests that nihilism is not a postmodern construct but that it was already evident in Enlightenment thinking: 'if the sphere of reason is wholly unfettered, no knowledge can rest upon an unquestioned foundation, because even the most firmly held notions can only be regarded as valid "in principle" or "until further notice"'.⁹⁵⁶

Finally, while it may seem apparent why we would naturally choose to promote our own happiness, it is not so obvious, on the basis of our own desires, why we would want or, indeed, be required to promote the happiness of the other. This unresolved difficulty remains for any modern application of the theory. For example, according to Singer, living an unethical life is not immoral or irrational per se, it is simply unwise. In his attempt to find a good reason why we ought to *choose* an ethical life, Singer resorts to an appeal to some observable element in human nature which engenders feelings of goodwill towards the other. As Hollinger points out, however, Singer's theory is based on the assumption that we naturally seek what is morally good.⁹⁵⁷ Instead of introspective reflection, Singer concedes, one is motivated to get out into the world and do something worthwhile: 'As yet, I offer no philosophical justification for taking this apparently objectivist stance. For the moment, it is enough that, in practice, it seems to work'.⁹⁵⁸ It is conscientious members of society, Singer concludes, who will tend to promote that which a society regards as valuable, where values are decided by the majority.

Henry Sidgwick appealed to the same element of goodwill within late 19th century English society to justify his utilitarian position, in what he referred to as the 'Morality

⁹⁵³ Lewis, 'Abolition', 707.

⁹⁵⁴ D. Groothuis, *Truth Decay: Defending Christianity against the Challenges of Postmodernism*, Nottingham: IVP, 2000, 43. Nihilism is, Sire states, 'a denial of any philosophy or worldview – a denial of the possibility of knowledge, a denial that anything is valuable' (Sire, *Universe*, 94).

⁹⁵⁵ Groothuis, *Truth*, 169.

⁹⁵⁶ A. Giddens, *The Consequences of Modernity*, Cambridge: Polity Press, 1990, 48, 49.

⁹⁵⁷ Hollinger, *Meaning*, 29.

⁹⁵⁸ Singer, *How*, 246.

of Common Sense'.⁹⁵⁹ Such an observation, he concluded, should aid and control the moral philosopher in his 'theoretical construction of the Science of the Right'.⁹⁶⁰ However, no reason is offered as to why an individual should be morally obliged to behave in accordance with this spirit of goodwill. For, as Linville points out, while Mill seeks to apply presumptive rules to his utilitarian theory, e.g. a rule against lying, such rules are contingent upon social utility, and therefore do not offer intrinsic moral worth and standing to the individual.⁹⁶¹ In addition, in critiquing the on-going appeal to intuition in moral philosophy, MacIntyre notes 'that the introduction of the word 'intuition' by a moral philosopher is always a signal that something has gone badly wrong with an argument'.⁹⁶²

In light of this observed 'intuition' of human nature, Dawkins, in what he accounts as being logically 'unnatural' behaviour, is forced to detract his evolutionary premise that our actions are simply a product of the mindless outworking of our genes. He argues for the ability of modern man to rebel against his genes in favour of altruistic behaviour, but fails to explain on what basis we either have the ability or the inclination to do so.⁹⁶³ Perhaps values, as indeed our belief in God, should simply be accepted as 'part of the stuff of the universe', caught up within the evolutionary process.⁹⁶⁴ This judgement, at its most basic, denies the existence of values of any permanent or lasting significance.

Therefore, while an appeal to a life that exercises moral values and transcends self is indeed a noble one, a justification for doing so, based on Singer's observation that 'it seems to work', demonstrates, at best, a dangerously shaky philosophical commitment and, at worst, a defence for its complete rejection. Indeed, it is unclear how society is to identify a conscientious member on naturalist grounds, if, according to physical determinism, it is illogical to judge any action as blameworthy or praiseworthy.⁹⁶⁵

⁹⁵⁹ H. Sidgwick, *Practical Ethics: A Collection of Addresses and Essays*, London: Swan Sonnenschein & Co, 1898, 37.

⁹⁶⁰ Sidgwick, *Practical*, 37.

⁹⁶¹ Linville, 'Moral', 425.

⁹⁶² MacIntyre, *After*, 69.

⁹⁶³ Lennox, *Gunning*, 111.

⁹⁶⁴ N. McCormick, *Practical Reason in Law and Morality*, Oxford: OUP, 2008, 101.

⁹⁶⁵ Samples, *World*, 211.

4.3.1 Implications for a Public Sexual Ethic

Primoratz points to the naturalistic philosophy of Schopenhauer⁹⁶⁶ and Nietzsche as an impetus for a new understanding of sexuality.⁹⁶⁷ However, the end result of such a philosophical commitment for a public sexual ethic should not be underestimated. Friedrich Nietzsche, described by MacIntyre as ‘*the moral philosopher of the present age*’,⁹⁶⁸ called for a ‘Revaluation of all values!’,⁹⁶⁹ accompanied by a reassertion and awakening of animal instinct. In condemning all forms of ‘Anti-natural’ morality, he formulated his own principle: ‘All naturalism in morality, that is all *healthy* morality, is dominated by an instinct of life’.⁹⁷⁰ Thus, he argued that the harnessing of sexual impulse and passion should be condemned as a suppression of life itself. Kathleen Wininger, for example, notes that ‘Nietzsche’s entire philosophy, from start to finish, is an indictment of those who fear the erotic’.⁹⁷¹ She observes that while the reader is ‘teased by his metaphorical promises’ about sex, he fails in his writings to present a vision for a new sexuality.⁹⁷²

However, a vision of sexuality that is evident within philosophical discourse is one that reduces sex to the individual pursuit of pleasure. Hollinger suggests this to be a consequence of reducing our sexual behaviour to a naturalistic understanding of reality: ‘Humans are then functionally reduced to their material impulses that ultimately seek pleasure, happiness, or their own interests’.⁹⁷³ According to the logical outworking of Singer’s worldview premise, there is no moral duty to live in a certain way, nor is there, or should there be, any attempt made to impose such a duty. As with Dawkins’ ‘Commandment’ on sexual behaviour, the individual is under no moral obligation and is therefore free to take it or leave it. For if all actions are determined by the mindless forces of nature, what justification can be given for human rational deliberation

⁹⁶⁶ Lance Byron Richey, in crediting Schopenhauer’s importance as a psychologist of sex, notes the outworking of his scientific and naturalistic credentials: ‘Unlike many previous philosophers (essentially Platonic and Christian), Schopenhauer refused to distinguish between a higher psychological or spiritual ideal of love and a lower physical state of sexual desire’ (L.B. Richey, ‘Schopenhauer, Arthur (1788-1860)’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 967-973, 969).

⁹⁶⁷ Primoratz, *Ethics*, 6.

⁹⁶⁸ MacIntyre, *After*, 114.

⁹⁶⁹ F. Nietzsche, ‘The Anti-Christ’, R.J. Hollingdale (tr.), *Twilight of the Idols and The Anti-Christ*, London: Penguin Books, 1968 [1895], 123-199, 199.

⁹⁷⁰ F. Nietzsche, ‘Twilight of the Idols’, R.J. Hollingdale (tr.), *Twilight of the Idols and The Anti-Christ*, London: Penguin Books, 1968 [1889], 29-122, 55.

⁹⁷¹ K.J. Wininger, ‘Nietzsche, Friedrich (1844-1900)’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 711-718, 712.

⁹⁷² Wininger, ‘Nietzsche’, 713.

⁹⁷³ Hollinger, *Meaning*, 29.

regarding sexual behaviour, including a careful examination of intentions, purpose and meaning?

It follows, therefore, as an inevitable consequence of the underlying naturalist commitment, that no sexual practice is objectionable or preferable, as might be suggested, as there can be no appeal to an objective account of intrinsic worth or value; for within a naturalist worldview perspective there are, in effect, no grounds on which to make such an appeal. As the 'Secular Bible' suggests:

no human law or folly can change the river of life, that must flow in its power from the beginning always onwards, 30. And seek every path to its future, accepting no obstacle or hindrance. 31. For its own monarch is nature, its one guide nature's hand, its one aim fulfilment of nature's great imperative.⁹⁷⁴

If, as Grayling suggests, 'the propagation of beings is the greatest object of nature',⁹⁷⁵ why should even a humanly constructed moral law stand in its way?

Therefore, where utilitarianism seeks to ground its moral principles in the unguided, mindless forces of nature, it runs into insurmountable difficulty. As Lennox observes: 'How can something that is ultimately mindless and impersonal, and therefore amoral, impose any sense of *morality* upon us whatever?'⁹⁷⁶ Accordingly, when it comes to sex, why should the 'unwanted infliction of pain, suffering, harm, injury, and so on', that are somehow beyond the natural, fall within Harris' sexual moral framework?⁹⁷⁷ Of course, there are few who would disagree with Harris' identified moral duties towards the other; however, their ethical imperatives cannot be derived from nature. As such, Anscombe seemed justified in concluding: 'It is a necessary feature of consequentialism that it is a shallow philosophy'.⁹⁷⁸ Indeed, she raised objections to drawing moral standards from society at all, believing that 'one cannot be impressed by this idea if one reflects what the 'norms' of a society can be like.'⁹⁷⁹

Naturalism, therefore, faces insurmountable difficulty in providing a robust foundation from which to derive moral principles and shape a moral framework for sexual behaviour. For as Hollinger points out, Singer's own ethic remains open to the possibility of sexual contact with animals on the condition that no harm is done to the

⁹⁷⁴ A.C. Grayling, *The Good Book: A Secular Bible*, London: Bloomsbury, 2011, 8.

⁹⁷⁵ Grayling, *Good*, 8.

⁹⁷⁶ Lennox, 'Utilitarianism's', 25.

⁹⁷⁷ Harris, *Value*, 189.

⁹⁷⁸ G.E.M. Anscombe, *Ethics, Religion and Politics*, Oxford: Blackwell, 1983, 36.

⁹⁷⁹ Anscombe, *Ethics*, 37.

animal.⁹⁸⁰ According to Harris, this sexual practice is not in and of itself morally objectionable: ‘If we assume, for example, that the animals either enjoy themselves or do not find sex more repulsive than other human contact that they have, the only thing wrong with bestiality would be any harmful effects on the human agent’.⁹⁸¹ As Hollinger notes, such a conclusion ‘reminds us that there really is no intrinsic meaning in the naturalistic worldview, and hence no inherent moral limits to natural impulses’.⁹⁸² Lewis eloquently spelt out the implications of attempting to derive a moral obligation for sexual behaviour from a naturalist premise:

If we do not bring to the examination of our instincts a knowledge of their comparative dignity we could never learn it from them. And that knowledge cannot itself be instinctive: the judge cannot be one of the parties judged; or, if he is, the decision is worthless and there is no ground for placing the preservation of the species above self-preservation or sexual appetite.⁹⁸³

While it may seem that sexual practices such as bestiality are outside the bounds of our current understanding of social norms, as our following discussion on the law on sexual offences will demonstrate, their intrinsic ‘wrongness’ is currently not recognised within Government guidance. In responding to the question of whether it is illegal to have sex with an animal that is dead, the answer given to young people on the NHS ‘Respect Yourself’ website stated: ‘People can and do fantasise about very weird and wonderful things however bestiality – sex with animals (dead or alive) is illegal. Animals cannot consent (agree) to sex and it is wrong to ever force anyone or anything to have sex’.⁹⁸⁴ It would appear from the answer given that the moral assumption is that that sex with an animal, dead or alive, is illegal, not because there is something intrinsically immoral about the act, but because the animal is unable to consent. Indeed, there is nothing in the answer to suggest that such an action might have a harmful effect on the human agent, which, within Harris’s ethic, is the only moral caveat.

In view of the confusion that exists around our moral understanding of sex and the possible implications for current social and relational order, we must turn our attention to examine what it is that presently dictates the public moral boundaries of our sexual behaviour – the law. Robert Loudon points out that the absence of ‘agreement regarding

⁹⁸⁰ P. Singer, ‘Heavy Petting’, 2001, (<http://www.utilitarian.net/singer/by/2001----.htm>; accessed 27.02.13).

⁹⁸¹ Harris, *Value*, 179.

⁹⁸² Hollinger, *Meaning*, 56.

⁹⁸³ Lewis, ‘Abolition’, 710.

⁹⁸⁴ NHS Warwickshire, ‘Respect Yourself: Your Questions’, (<http://www.respectyourself.info/your-questions/#>; accessed 26.02.12).

human purposes and moral ideals seems to drive us (partly out of lack of alternatives) to a more legalistic form of morality'.⁹⁸⁵

4.4 Public Account of Sexual Morality: The Law on Consent

The state's role in the sexual lives of its citizens cuts to the heart of debate around the parameters of individual liberty. H.L.A. Hart, in his assessment of the legislative limits of the state with regards to the individual's sex life, suggests that the frustrations of sexual desires in the face of punishment 'may create misery of a quite special degree'.⁹⁸⁶ His position is shaped by a presupposed value judgement on the role and importance of sexual behaviour in the life of the individual: 'suppression of sexual impulses generally is something which affects the development or balance of the individual's emotional life, happiness and personality'.⁹⁸⁷

In adopting a liberal theory of law,⁹⁸⁸ Ronald Dworkin adds his weight to these assumptions, believing that, in view of its impact, government needs 'compelling justification to regulate reproductive or sexual acts'.⁹⁸⁹ He argues that each person must live an authentic life, a life which maintains ethical independence and ensures that they alone have personal control over, and responsibility for, their own body. However, in responding to this libertarian utopia, Taylor argues that realising the 'ethic of authenticity', at the expense of wider society, is unworkable: 'It is clear that to have any kind of liveable society some choices have to be restricted, some authorities have to be respected, and some individual responsibility has to be assumed. The issue should always be which choices, authorities and responsibilities'.⁹⁹⁰

The exception with which Dworkin qualifies his ethical maxim concerns cases of deliberate harm.⁹⁹¹ This is the least that would be expected in order to guarantee the effective functioning of liberal democracy; this leaves the state to arbitrate within moral discourse as to what an acceptable notion of 'harm' might look like, which in turn

⁹⁸⁵ R.B. Louden, 'On Some Vices of Virtue Ethics', R. Crisp and M. Slote (eds.), *Virtue Ethics*, Oxford: OUP, 1997, 201-216, 215.

⁹⁸⁶ H.L.A. Hart, *Law, Liberty and Morality*, Oxford: OUP, 1963, 22.

⁹⁸⁷ Hart, *Law*, 22. More recent philosophers, such as Lori Gruen, have embraced Hart's conclusion: 'A society composed of miserable, off-balance citizens is not one the law should help create or maintain' (L. Gruen, 'Law, Sex and the', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 583-589, 584).

⁹⁸⁸ See R. Dworkin, *Taking Rights Seriously*, London: Gerald Duckworth & Co., 1977.

⁹⁸⁹ R. Dworkin, *Justice for Hedgehogs*, London: HUP, 2011, 376.

⁹⁹⁰ Taylor, *Secular*, 479.

⁹⁹¹ Dworkin, *Justice*, 288.

shapes our public understanding of sexually immoral or offensive behaviour. However, as Adeney points out, and as discussed already, 'it is difficult to establish a precise formulation of liberal principles concerning harm and offense'.⁹⁹² In addition, and, as a consequence of his position, MacIntyre notes that a concept of the human good is for Dworkin 'systematically unsettlable' within the public sphere.⁹⁹³

However, as David McIlroy argues, the suggestion that the law can remain morally neutral on what constitutes the good is inconceivable, highlighting the misconception of advocates of legal positivism⁹⁹⁴ in the twentieth century, like Hart, who argued that the law and morality were two distinct categories.⁹⁹⁵ Instead, he draws attention to the fact that law and policy makers inevitably execute moral leadership in their decision making.⁹⁹⁶ Thus, if, as suggested, state neutrality is an unachievable or, indeed, an undesirable value stance, a clear challenge is presented to the legislature in making value judgments on what constitutes the sexual and relational good in society in the face of increasing moral plurality and uncertainty over the meaning and purpose of sexual behaviour.

Where public policy discussions are dominated by the principle of autonomy, it is the law which inevitably enforces the socially defined parameters of acceptable sexual behaviour. According to Joseph Raz's 'perfectionist' understanding of the principle of autonomy, it is the responsibility of government to 'create morally valuable opportunities, and to eliminate repugnant ones'.⁹⁹⁷ However, in view of cultural moral plurality, Herman Di Dijn points to the 'revolutionary idea' within modern liberal democratic states that not only should all citizens be recognised as free and equal under the law, but that states 'should recognize certain differences ('group values') as being legally equally valuable'.⁹⁹⁸

⁹⁹² Adeney, 'Liberalism', 600.

⁹⁹³ MacIntyre, *After*, 119.

⁹⁹⁴ For a discussion on the theory of legal positivism, see L. Green, 'Legal Positivism', *Stanford Encyclopedia of Philosophy*, Fall 2008, (<http://plato.stanford.edu/archives/fall2008/entries/legal-positivism/>; accessed 08.06.14).

⁹⁹⁵ D. McIlroy, 'Does the Law Need a Moral Basis?', Nick Spencer (ed.), *Religion and Law*, London: Theos, 2012, 153-161, 155. However, as noted earlier, Hart did recognise a reciprocal relationship between the two.

For a further discussion on the theories of law and morality, including natural law theory and legal positivism, see, for example, D. Ingram, *Law: Key Concepts in Philosophy*, London: Continuum, 2006, 16-49.

⁹⁹⁶ McIlroy, 'Role', 101.

⁹⁹⁷ J. Raz, *The Morality of Freedom*, Oxford: Clarendon Press, 1986, 417.

⁹⁹⁸ H. Di Dijn, 'Cultural Identity, Religion, Moral Pluralism and the Law', P. Losonoczi and A. Singh (eds.), *From Political Theory to Political Theology: Religious Challenges and the Prospects of Democracy*, London: Continuum, 2010, 61-72, 62.

Notwithstanding the ongoing evolution of the legislative framework, it would appear that the law on sexual behaviour maintains an on-going two-fold responsibility within the public structure of governance: to secure and protect individual rights and freedoms, and agree and uphold legislatively and judicially defined moral parameters on sexual behaviour and diversity, arguably acting as the final arbiter of public sexual morality. In view of the moral vision of law, therefore, we should give particular note to the function of law as a public educator.⁹⁹⁹ Fitzjames Stephen, for example, in promoting a form of legal moralism,¹⁰⁰⁰ argued that it was only through the constraints of the law, in addition to public opinion, that moral character was promoted: ‘Society has at its disposal two great instruments by which vice may be prevented and virtue promoted-namely, the law and public opinion; and the law is either criminal or civil’.¹⁰⁰¹ Nevertheless, at least from a theological perspective, we should also give note to the limited scope of this legislative morality. As Harries notes, while ‘good laws express a moral vision, they do not contain it. The moral vision goes wider and deeper and, for a Christian, is ultimately grounded in the wisdom of God’.¹⁰⁰²

In the absence of what is judged to be an ‘extremely poor’ standard of public debate on moral questions,¹⁰⁰³ what is evident is that the law plays an increasingly central role in setting the parameters of what society judges to be the limits of sexual autonomy, in particular the criminal law, described by Fitzjames Stephen as ‘by far the most powerful and by far the roughest engine which society can use for any purpose’.¹⁰⁰⁴ At the same time it would appear that the principle of autonomy continues to trump any threat of legal sanctions. For example, despite policy guidance pointing to the importance of young people recognising the law as a guide to sexual behaviour, it is evident that current NHS advice inadvertently undermines the role both of the law and public opinion. As such, the only view that is ultimately of any consequence when making decisions on sexual activity is the one that is self-actuated: ‘The only person who can tell you you’re ready – is you – not your partner, not your folks not your friends and ultimately not a policeman’.¹⁰⁰⁵

⁹⁹⁹ See B. Burge-Hendrix, ‘The Educative Function of Law’, M. Freeman and R. Harrison (eds.), *Law and Philosophy: Current Legal Issues Volume 10*, Oxford: OUP, 2007, 243-354.

¹⁰⁰⁰ Adeney, ‘Liberalism’, 601.

¹⁰⁰¹ Fitzjames Stephen, *Liberty*, 150.

¹⁰⁰² Harries, *Faith*, 50.

¹⁰⁰³ McIlroy, ‘Does’, 159.

¹⁰⁰⁴ Fitzjames Stephen, *Liberty*, 151.

¹⁰⁰⁵ NHS Warwickshire, ‘Respect Yourself: Sex and the Law’, (<http://www.respectyourself.info/sex/sex-and-the-law/>; accessed 26.02.13).

Nevertheless, what continues to define and shape the moral parameters of the sexual behaviour of young people is a legally defined understanding and application of the principle of consent. Difficulty arises, however, in achieving not only a satisfactory definition of consent, but a sufficient means of assessing its validity. As Lori Gruen points out, there are two laws that she believes even the most ardent liberal would find acceptable: ‘laws that prohibit sexual activity between an adult and a child, and laws that prohibit sexual assault, rape, or non-consensual sex’.¹⁰⁰⁶ However, as she concedes, even these laws are not free from controversy, for they require an understanding of who qualifies as a child and what constitutes the presence or absence of consent.

4.4.1 Children and Legal Consent

Consent has become an essential normative concept shaping the moral framework of SRE and surrounding discourse, as exemplified in Archard’s liberal approach to sex education, on which my critique is centred.¹⁰⁰⁷ The principle of consent is evidenced within Government policy where, for example, in the Department of Health’s ambition for sexual health improvement in England, the moral prerequisite for any sexual contact is consent.¹⁰⁰⁸ The recent supplementary guidance for SRE emphasised the lack of knowledge and understanding that young people currently have around consent and the basic legal facts, emphasising that teaching about consent was ‘central to learning about healthy, equal and safe relationships and choices’.¹⁰⁰⁹

In her own assessment of the moral discourse surrounding sexual morality and the increasing ambiguity over the meaning of sexual acts, Nancy Fisher suggests that the morality of a particular act is measured, not so much by the nature of the act itself, but in terms of who engages in it.¹⁰¹⁰ This observation appears to correspond with the moral judgements that are currently being made on the legality of children and young people engaging in sexual behaviour. Such judgments rest on the perceived vulnerability of the child, largely founded on the welfare principle and shaped by an assessment of the

In view of the reference to a policeman, it should be noted that this does not equate with the sentiment within Government policy that recognises the role of the law to protect the young person, not to punish them.

¹⁰⁰⁶ Gruen, ‘Law’, 584.

¹⁰⁰⁷ See 1.3.

¹⁰⁰⁸ DoH, *Framework*, 14.

¹⁰⁰⁹ Brook et al., *Sex*, 9.

¹⁰¹⁰ N. Fischer, ‘Purity and Pollution: Sex as a Moral Discourse’, N. Fischer, C. Meeks and S. Seidman (eds.), *Introducing the New Sexuality Studies (2nd ed.)*, Abingdon: Routledge, 2011, 38-44, 39.

limits of their decision-making capacities. In his discussion on the concept of consent, Alan Wertheimer notes: 'Even if B's consent is given completely willingly and even if there is no deception, B's token of consent is morally transformative only if she has the requisite emotional and cognitive capacities'.¹⁰¹¹ The cognitive maturity of the young person to make wise choices with regards to sexual activity remains an on-going issue of debate.¹⁰¹²

On the basis of the welfare principle, Mill made his view on the moral responsibility of the liberal state towards children and young people quite clear: 'Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury'.¹⁰¹³ However, in view of Mill's belief in humanity as a progressive being, it might equally be argued that a previously-held understanding of competence has advanced and, indeed, that the capacity of young people to make and take responsibility for their choices continues to evolve. This is indicated in Archard's assessment of autonomous choice and the 'shifting line' of capacity.¹⁰¹⁴ Recent developments in the sociological understanding of childhood and youth, it is claimed, have 'profound implications' for the legal limits of young people's sexual behaviour.¹⁰¹⁵ Nevertheless, whatever the perceived advancement in understanding and competence, the core sentiment of Mill's concern remains as a valid challenge to the application of liberalism, in particular where the legal limits should be drawn to secure protection of the young person and the welfare of society against the potential 'harms' of sexual behaviour, whatever they are judged to be.

In tracing the historical meaning and application of consent, Matthew Waites suggests that 'judgements of who is capable to give meaningful consent to a sexual act depends upon the kind of competence in 'consenting' which one might regard as relevant'.¹⁰¹⁶ These have historically included the ability to act freely and rationally and, as he suggests, are also assessed on the basis of achieving the knowledge and emotional skills to handle situations, which he believes can to some extent be taught.¹⁰¹⁷ However, he

¹⁰¹¹ A. Wertheimer, *Consent to Sexual Relations*, Cambridge: CUP, 2003, 215. See also A. Wertheimer, 'Consent', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 184-194.

¹⁰¹² See 'Risk Behaviour and Cognitive Development' in Boydell and MacKellar, *Informing*, 28-30.

¹⁰¹³ Mill, 'Liberty', 16.

¹⁰¹⁴ See 3.5.

¹⁰¹⁵ M. Waites, *The Age of Consent: Young People, Sexuality and Citizenship*, Basingstoke: Palgrave Macmillan, 2005, 13.

¹⁰¹⁶ Waites, *Age*, 21.

¹⁰¹⁷ Waites, *Age*, 21.

points to those who argue that social context must also be taken into account in assessing capacity, extending the possibility of competence to younger children.¹⁰¹⁸ While a ‘useful *proxy*’, Wertheimer sees no reason why age need be a necessary indicator of competence, pointing instead to an assessment of an individual’s mental capacity to consent.¹⁰¹⁹ In assessing the competence of young people to give *sexual* consent, Waites sets out what, in his view, are key questions for public debate: ‘How do children/young people experience sex? Can children/young people give “consent” to sex? Do children/young people need protection from sex? And is the law an effective means to protect them?’¹⁰²⁰ It is important to note that those who have argued for radical perspectives on sexuality note with disdain the influence of the law on the young and on those who seek to sexually engage with them: ‘The notion that sex *per se* is harmful to the young has been chiselled into extensive social and legal structures designed to insulate minors from sexual knowledge and experience’.¹⁰²¹ It is necessary, therefore, to understand and assess the rationale behind current legal limits on children and young people’s sexual behaviour, in order not only to identify the moral commitments that they seek to uphold, but to assess the philosophical rigour of these commitments.

The law on sexual behaviour in England and Wales has undergone parliamentary scrutiny and review, culminating in the enactment of the Sexual Offences Act 2003. A central theme of the review was the protective role that the criminal law should play in preventing the abuse of children. While the Home Office acknowledged sexual relationships to be the ‘most intimate and private part of life’, they nevertheless recognised the role of the criminal law in dealing with those relationships which are deemed ‘non-consensual, inappropriate or wrong’.¹⁰²²

In line with the moral mantra of preventing harm, a sexual offence is committed, according to the Act, where a sexual activity takes place without reasonable belief that the other person has consented. The Act states: ‘Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to

¹⁰¹⁸ Waites, *Age*, 22.

¹⁰¹⁹ Wertheimer, *Consent*, 217.

¹⁰²⁰ Waites, *Age*, 24.

¹⁰²¹ G.S. Rubin, ‘Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality’, R. Parker and P. Aggleton (eds.), *Culture, Society and Sexuality: A Reader* (2nd ed.), London: Routledge, 2007 [1984], 150-187, 151.

¹⁰²² Sexual Offences Review Group, *Setting the Boundaries: Reforming the Law on Sexual Offences*, London: Home Office Communications Directorate, 2000, iv.

ascertain whether B consents'.¹⁰²³ 'Consent' is defined as follows: 'a person consents if he agrees by choice, and has the freedom and capacity to make that choice'.¹⁰²⁴ In terms of capacity, the Act specifically recognised vulnerable groups deserving of particular protection, including persons with a mental disorder, and children. Regarding the limits of capacity and the legal protection offered to children, the law deems that children under the age of thirteen do not have the capacity to consent to any form of sexual activity.¹⁰²⁵ In such cases, the defendant's claims of consent will prove irrelevant. In addition, an offence is committed against a child under 16 if the defendant did not reasonably believe that the child was 16 or over.¹⁰²⁶

In exploring the rationale for age of consent laws, Waites suggests that 'the distinction between *risk* and *harm* is a crucial starting point'.¹⁰²⁷ This echoes Wertheimer's view that it is 'easier to evaluate the expected benefits and harms of youthful sexual relationships and then reason backward to the competence to consent'.¹⁰²⁸ As such, while conceding that no directly harmful consequences may occur (as is legally presumed in the case of a consenting adult), Waites recognises the increased vulnerability of young people, due to their 'structurally disadvantaged position within the social hierarchy', suggesting that there is a risk of harm arising from sexual behaviour on account of the unequal power relations which exist within the structure of adult-child relations.¹⁰²⁹ This echoes Archard's view that social relationships and the social context should play a role in determining the age of consent.¹⁰³⁰ For Wertheimer, on the other hand, what is perceived as exploitative does not necessarily invalidate a consensual decision.¹⁰³¹ In addition, Waite acknowledges that his rationale does not give a definitive answer to the appropriate age of legal sexual activity, and, indeed, highlights a practical inconsistency in the application of its underlying principle. For, while the Act rightly seeks to protect those who are vulnerable to abuse, it appears there

¹⁰²³ *Sexual Offences Act 2003* (c.42), 2,
(http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf ; accessed 10.10.12).

¹⁰²⁴ *Sexual Offence Act 2003*(c.42), 39.

¹⁰²⁵ Home Office, *Guidance on Part 1 of the Sexual Offences Act 2003, Circular 021/2004*, London: Criminal Law and Policy Directorate, 8,
(<http://www.homeoffice.gov.uk/about-us/corporate-publications-strategy/home-office-circulars/circulars-2004/021-2004/>; accessed 10.10.12).

¹⁰²⁶ *Sexual Offences Act 2003* (c.42), 4.

¹⁰²⁷ Waites, *Age*, 30.

¹⁰²⁸ Wertheimer, *Consent*, 220.

¹⁰²⁹ Waites, *Age*, 30, 31.

¹⁰³⁰ D. Archard, *Sexual Consent*, Oxford: Westview Press, 1998, 129.

¹⁰³¹ Wertheimer, *Consent*, 219, 220.

is a limit to which the legal parameters are allowed to infringe on the moral autonomy of the young person, as evidenced in their right to consent to sexual health services.

In response to the age limitations set down in the Sexual Offences Act 2003, the Department of Health has made clear that the legislation does not affect the duty of care and confidentiality that a health professional owes to a ‘Gillick competent’ young person under 16, regarding reproductive services.¹⁰³² As such, Tom Beauchamp and James Childress note the ‘gatekeeping’ role that those within healthcare play in making competence judgements.¹⁰³³ However, Waites highlights the problem with this inconsistency: ‘The difference in the state’s role between the two scenarios (legal prohibition of sexual activity v. provision of sexual health services) demonstrates that different principles are being applied, and raises the question of whether these are appropriate and well-founded’.¹⁰³⁴ This continues to be a matter of legal and ethical debate at a national and international level.¹⁰³⁵

Nevertheless, in responding to those who call for the de-criminalisation of young people’s sexual behaviour, Waites argues that having an age of consent enforces social norms on what is deemed appropriate and inappropriate behaviour, conveying a moral message to young people and wider society and protecting the collective interests and welfare of young people.¹⁰³⁶ However, while presenting this position he, at the same time, proposes a reduction in the age of consent from 16 to 14, with a two-year ‘age-span provision’,¹⁰³⁷ in order to give legitimacy to young people engaging in sexual behaviour with their peers.¹⁰³⁸ While we could assume that such a move would indeed

¹⁰³² Department of Health, *Best Practice Guidance for Doctors and other Health Professionals on the Provision of Advice and Treatment to Young People under 16 on Contraception, Sexual and Reproductive Health*, July 2004, (http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4086960; accessed 10.10.12).

¹⁰³³ Beauchamp and Childress, *Principles*, 111. In view of the fact that Public Health England has reinforced the age of consent as a means of protecting young people, not punishing them or denying them access to services (DoH, ‘Framework’, 14), it would, therefore, appear illogical for leading experts to be arguing for its reduction without inadvertently dismissing the need for such protection (BBC News Health, ‘PM rejects calls to lower Age of Consent to 15’, (<http://www.bbc.co.uk/news/health-24976929>; accessed 18.11.13).

¹⁰³⁴ Waites, *Age*, 31.

¹⁰³⁵ See, for example, R. Heywood, ‘Mature Teenagers and Medical Intervention Revisited: A Right to Consent, a Wrong to Refuse’, *Common Law World Review*, Vol. 37, No. 2, June 2008, 191-203; J. Loughrey, ‘Can you keep a Secret? Children, Human Rights, and the Law of Medical Confidentiality’, *Child and Family Law Quarterly*, Vol. 20, No. 3, September 2008, 312-334; J. Bridgeman, ‘Commentary: Young People and Sexual Health: Whose Rights? Whose Responsibilities?’, *Medical Law Review*, Vol. 14, November 2006, 418-424.

¹⁰³⁶ Waites, *Age*, 225.

¹⁰³⁷ A maximum of two years age difference between the partners’ birthdays.

¹⁰³⁸ Waites, *Age*, 239.

convey to young people and wider society a message around the moral legitimacy of young people engaging in sexual behaviour,¹⁰³⁹ and would appease those who believe that young people under the current age of consent should have the right to choose when they are ready for sex,¹⁰⁴⁰ it is unclear at the same time how such a move corresponds with his rationale for protecting young people from the risk of harm, without of course naively assuming that unequal power relations occur only at the level of ‘adult’ to ‘child’ and not ‘peer’ to ‘peer’.

Once again, the application of the harm principle without an underlying moral understanding or context for sexual behaviour proves inadequate. As Guy Brandon suggests, the application of consent by itself leads to a ‘narrow and unrealistic assessment of who is affected, whether in positive or negative ways. Consent needs to be a starting point, not the end point’.¹⁰⁴¹ Broader ethical questions concerning the value and worth that society places on the engagement of young people in sexual behaviour, therefore, extends beyond the remit of the criminal law and must be brought within the scope of a more comprehensive civic debate, shaping a more coherent public sexual ethic.

4.4.2 Beyond Consent: The Legal Limits of Sexual Diversity

A further role of the law on sexual behaviour is to establish parameters on morally acceptable sexual acts, establishing and upholding social norms. As such, a clear distinction is made on sexual behaviours which are deemed not only non-consensual and therefore abusive, but on those that are judged inappropriate or wrong; these include exposure, voyeurism, bestiality, necrophilia and incest.¹⁰⁴² Although Harris and others would conclude that such acts are not in themselves immoral, there continues to be a role for the criminal law in upholding a moral boundary on sexual diversity. Thus, in addition to the prevention of harm to others through non-consensual activity, it is evident that what Feinberg identifies as legal paternalism¹⁰⁴³ and legal moralism¹⁰⁴⁴ still operate within the existing system of criminal law.¹⁰⁴⁵

¹⁰³⁹ In defence of his proposal, Waites states: ‘What is abundantly clear is that the current age of consent is unsatisfactory and needs rethinking. In contemporary Britain, favouring an age of consent of 16 applying to all sexual behaviour implies faith in a wistful fantasy that young people will abstain. There is a need instead to admit the limited direct impact that law has on young people’s sexual behaviour, and to confront the realities of their situations and experiences’ (Waites, *Age*, 241).

¹⁰⁴⁰ Tatchell, ‘ABC’, 64.

¹⁰⁴¹ Brandon, *Just*, 51.

¹⁰⁴² *Sexual Offences Act 2003* (c.42), 36.

¹⁰⁴³ The role of the law in prohibiting the individual causing themselves harm.

In light of this, questions will inevitably arise over the application of the liberal principle of equality. For where equality is identified as a core theme of the Sexual Offences legislation, Jonathan Burnside questions why equal regard for individual sexual preference should extend only to heterosexual and homosexual behaviour, and not extend to other sexual practices. In response to his own rhetorical question, he notes that the principle of equality is positioned within a normative framework: ‘The Act’s vision of equality is necessarily founded on a series of moral distinctions’.¹⁰⁴⁶ Is it, therefore, beyond the realm of possibility that, within our current moral understanding of sex, a future revision of Sexual Offences legislation may further dilute our current moral distinctions? Or, indeed, with future revisions, is the reverse not also possible? For, where sexual morality becomes a product of social construction, Nancy Fischer reminds us that ‘we should keep in mind that sexual practices that might be considered as being within the confines of acceptable moral behaviour today could be constructed to be morally corrupt in the future’.¹⁰⁴⁷

As such, the role of active civic debate on the boundaries of sexual diversity should not be underestimated. If Gruen is correct in her assumptions, legal moralists will only endorse the prohibition of behaviours which the public condemns.¹⁰⁴⁸ In his discussion on objects, events or acts that a society deems abominable, Jeffrey Stout suggests that such decisions are made depending on the perceived threat they pose to the ‘established cosmological or social order’.¹⁰⁴⁹ As such, within our current order, it would appear that acts are deemed abominable if they breach one’s social role within the socially legitimated purposes accorded to sexual activity.¹⁰⁵⁰ For example, Stout suggests that bestiality calls into questions one’s social identity,¹⁰⁵¹ with particular moral significance placed in breaching the line between human and non-human.

However, in identifying the inadequacy of our current public sexual ethic, in particular the ambiguity of the harm principle, as well as the incoherency of the naturalist premise on which it is founded, I suggest that, while not inevitable, a future shift in the moral

¹⁰⁴⁴ The role of the law in prohibiting conduct which is judged inherently immoral.

¹⁰⁴⁵ J. Feinberg, *Harm to Others: The Moral Limits of the Criminal Law*, Oxford: OUP, 1984, 12.

¹⁰⁴⁶ J.P. Burnside, *God, Justice and Society: Aspects of Law and Legality in the Bible*, New York: OUP, 2011, 383.

¹⁰⁴⁷ Fischer, ‘Purity’, 39.

¹⁰⁴⁸ Gruen, ‘Law’, 587.

¹⁰⁴⁹ J. Stout, *Ethics after Babel: The Language of Morals and Their Discontents*, Cambridge: James Clarke & Co., 1990, 149.

¹⁰⁵⁰ Stout, *Ethics*, 154.

¹⁰⁵¹ Stout, *Ethics*, 152.

classification of sexual behaviours which presently are judged immoral and, therefore, illegal, is logically possible. For, indeed, there are those who argue that any classification of sexual acts, on account of their morality, is akin to racism.¹⁰⁵² In my own discussion, this raises particular concern for how such a public ethic shapes the moral content of SRE. For, where humanly constructed norms and principles evolve and change, sexually ‘immoral’ behaviours, no matter how culturally abhorrent, are rooted in moveable foundations.

For example, while adult-child sexual relations remain socially and morally abhorrent, Primoratz suggests that if the immorality and illegality of paedophilia rests solely on the fact that harm is done to the child then, in his view, the ‘issues of its moral and legal standing are far from settled and await further philosophical and empirical investigation’.¹⁰⁵³ He argues that there is inconclusive evidence either way in terms of the harm inflicted on the child, and the current legal prohibition of such sexual behaviour would instead appear simply to be the ‘most prudent and morally appropriate choice’.¹⁰⁵⁴

If in the future there was sufficient evidence to suggest that the harm (as notionally defined at the time) done to the child was not as severe as currently judged, would the moral quality of this sexual act change?¹⁰⁵⁵ After all, historical and anthropological accounts of child abuse confirm that the understanding of child abuse is determined by the relevant cultural context.¹⁰⁵⁶ On what ontological basis would we refute the assertion of Havelock Ellis that ‘every age or land has its own morality’?¹⁰⁵⁷ It should not go unnoted that Kinsey and his colleagues argued ‘there are as yet insufficient data either in our own or in other studies, for reaching general conclusions on the significance of sexual contact between children and adults’.¹⁰⁵⁸ On noting those children that were ‘upset or frightened by their contacts with adults’, Kinsey and his colleagues suggested that, ‘if a child were not culturally conditioned, it is doubtful if it would be disturbed by sexual approaches of the sort which had usually been involved in these

¹⁰⁵² Rubin, ‘Thinking’, 161.

¹⁰⁵³ I. Primoratz, ‘Pedophilia’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia*, Vol. 2: M-Z, London: Greenwood Press, 2006, 755-763, 761.

¹⁰⁵⁴ Primoratz, ‘Pedophilia’, 761.

¹⁰⁵⁵ As noted earlier, the arguments are already being made concerning the inherent morality of bestiality.

¹⁰⁵⁶ H. Montgomery, ‘Child Sexual Abuse – An Anthropological Perspective’, G. Rousseau (ed.), *Children and Sexuality: From the Greeks to the Great War*, Basingstoke: Palgrave Macmillan, 2007, 319-347.

¹⁰⁵⁷ H. Ellis, *Studies in the Psychology of Sex, Volume VI, Sex in Relation to Society*, Philadelphia: F.A. Davis Company, 1931, 369.

¹⁰⁵⁸ Gebhard et. al, *Sexual*, 120.

histories'.¹⁰⁵⁹ Where no moral understanding is brought to bear on this type of sexual encounter, the danger exists that a social climate is created where such behaviour is deemed socially permissible and does not breach Stout's cosmological or social order.

In view of even the logical possibility of creating such a moral order, we should be wary of a world in which, as Grayling advocates, we are masters of our own destiny.¹⁰⁶⁰ Jacqueline Laing claims that if we want to maintain the notion that certain activities are 'timelessly unjust', then we cannot view morality and law 'i.e. that which binds the human conscience', as simply a human construct. Judging on the basis of human experience and historical precedent, she concludes: 'Both morality and law, properly understood, had better be more than that'.¹⁰⁶¹ Thus, in examining the role that criminal law plays in regulating sexual behaviour, its deficiency as the sole arbiter of public sexual morality and its limits in fostering civic virtue should not go unnoted. For, as John Gibbens suggests: 'A civil society that referees the minimal rules necessary to uphold civil life and facilitates respect for and the right to diversity needs to be supplemented by a civil and sexual ethics'.¹⁰⁶²

While I shall argue that this is, indeed, a necessary prerequisite to obtaining a morally coherent and satisfactory public sexual ethic, what I have noted already is that the ethic that currently supplements the law is largely limited to the same single moral premise: a socially constructed understanding of that which maximises pleasure and minimises harm. In addition, the intellectual roots of moral judgements become increasingly difficult to justify as principles and laws are informed by the current norms in society, rather than an objective understanding of the intrinsic moral quality of sexual acts. As Burnside argues: 'The Sexual Offences Act 2003 points beyond itself to a loss within our social consciousness of how we understand the significance of sexual behaviour. This is something we are all caught up in because it affects all of us, both individually and collectively as a society'.¹⁰⁶³ It is this collective loss of meaning which, Sire suggests, is the final outcome of nihilism: 'The strands of epistemological, metaphysical

¹⁰⁵⁹ Gebhard et. al, *Sexual*, 121.

¹⁰⁶⁰ Grayling, *Future*, 23.

¹⁰⁶¹ J. Laing, 'The Connection between Law and Justice in the Natural Law Tradition', Nick Spencer (ed.), *Religion and Law*, London: Theos, 2012, 125-134, 132.

¹⁰⁶² J.R. Gibbens, 'Sexuality and the Law: The Body as Politics', T. Carver and V. Mottier (eds.), *Politics of Sexuality: Identity, Gender, Citizenship*, Oxford: Routledge, 1998, 36-45, 44.

¹⁰⁶³ Burnside, *God*, 385.

and ethical nihilism weave together to make a rope long enough and strong enough to hang a whole culture. The name of the rope is Loss of Meaning'.¹⁰⁶⁴

4.5 Conclusion: Incoherent and Inadequate Public Sexual Ethic

In offering a glimpse of the 'Moral Zeitgeist', the purpose of doing so is to note that where public moral discourse increasingly defends the right to pursue self-constructed notions of the 'good' without any intrinsic understanding of the morality of sex, an inevitable consequence for the policy content and practice of SRE is that it follows suit. This includes, as Tatchell suggests, teaching young people that, within a socially defined understanding of ethical sex, in addition to orientation, the context is inconsequential: 'regardless of whether they are married, cohabiting or living apart; regardless of whether they are into one-night-stands or committed relationships; and regardless of whether they have sex for love or sex for pleasure'.¹⁰⁶⁵

In addition, beyond the consequentialist interpretation of public and legal norms, Rivers warns of a new 'political absolutism' in which the state, through the power of the legal system, protects the individual's self-constructed notion of dignity. He points to the debate over same sex marriage as an example of this 'postmodern dignity' at work, representing 'a paradigm shift towards a denial of the "natural" in any normatively charged sense and to the universal mandate of the state to protect each individual in his or her vulnerable self-construction'.¹⁰⁶⁶ In his assessment of the implication of a postmodern worldview on ethics, Sire notes: 'Ethics, like knowledge, is a linguistic construct. Social good is whatever society takes it to be'.¹⁰⁶⁷ If such is the case, it would appear that an even more urgent task is to re-awaken public moral discourse around a shared vision of relational and sexual civic virtue. As such, within a climate of increased moral agnosticism about moral norms and values with regards to sexual behaviour, there is an urgent need to understand and respond to young people's ethical questions within a renewed moral vision of human flourishing.

In light of this, I shall move on in Chapter 5 to present a moral framework which, I will argue, provides a more coherent and enriched vision of a sexually and relationally educated young person, a vision shaped by a theological virtue ethic. It not only

¹⁰⁶⁴ Sire, *Universe*, 111.

¹⁰⁶⁵ Tatchell, 'ABC', 66.

¹⁰⁶⁶ J. Rivers, 'Is English Law Christian?', N. Spencer (ed.), *Religion and Law*, London: Theos, 2012, 143-152, 150.

¹⁰⁶⁷ Sire, *Universe*, 228.

enriches liberal educational discourse, but re-invigorates a public sexual ethic which moves beyond a set of legal precepts. In what Wright notes to be the evidenced lurch between ‘deregulation’ and ‘reregulation’ in major areas of life, such as sexual activity, he highlights what he views to be the essential problem with this approach: ‘*introducing new regulations doesn’t get to the heart of the problem*’.¹⁰⁶⁸ The heart of the problem, he suggests, is a character deficit, in which we are more concerned with *what* to do, or not to do, than *how* to do it: ‘Rules matter, it seems, but character matters more, and provides a framework within which rules, where appropriate, can have their proper effect’.¹⁰⁶⁹

¹⁰⁶⁸ Wright, *Virtue*, 21.

¹⁰⁶⁹ Wright, *Virtue*, 44.

Chapter 5

A Theo-ethical Case for Virtue: A Constructive Approach

5.1 Introduction: Presenting a Theological Virtue Ethic

The moral vision of SRE, which informs policy and practice, is an inevitable reflection, not only of the moral commitments that are shaping our understanding of moral education within the current social order, but of a culturally-constructed understanding of sex and relationships within a corresponding account of human flourishing. Having focussed my critique on the implicit and explicit moral values and principles within the moral vision of SRE discourse, as reflected in Archard's philosophical approach to sex education, I will, in this Chapter, build on the conclusions of previous Chapters and offer a constructive engagement with a vision of a sexually and relationally educated young person, as seen through a Christian theistic worldview lens,¹⁰⁷⁰ in particular a theological virtue ethic. The end purpose of this thesis is to make the case for how such a vision might enrich the moral discourse of SRE policy.

Dissolution of the normative link between sex and relationships, as discussed in Chapter 4, strips sexual activity of any inherent moral value and, as a consequence, has impoverished our understanding of sexual personhood. Within our public sexual ethic, we are in danger of losing a relational language in which to speak about the context of sex that moves beyond the limited, socially constructed understanding of consent. Indeed, when it comes to speaking about relationships within wider policy discourse, John Aschcroft and Michael Schluter note an increased moral disorientation:

Many people are willing to agree that long-term stable relationships are, in principle, a good thing. But when it comes to defining a 'good' relationship, or what kinds of relationship (if any) should be favoured by public policy, and whether things are getting worse or simply changing, agreement and even rationality can begin to disappear.¹⁰⁷¹

In this final chapter I will present a theological virtue ethic as a means of enriching current moral discourse, re-introducing a moral language that engages with the relational good of sexual behaviour and human flourishing, a vision in which, as Volf suggests, the love of pleasure gives way to the pleasure of love.¹⁰⁷² Discovering the place of virtue in the moral life has contributed to a rich tradition of moral discourse

¹⁰⁷⁰ See Sire, *Universe*, 25-46, for a presentation of a Christian theistic worldview.

¹⁰⁷¹ J. Ashcroft and M. Schluter, 'A New Framework for the Social Order', J. Ashcroft and M. Schluter (eds.), *Jubilee Manifesto: A Framework, Agenda and Strategy for Christian Social Reform*, Leicester: IVP, 2005, 17-33, 21.

¹⁰⁷² See 1.4.1.

within the activities and purposes of moral education, in particular that which concerns character formation. Naturally, this discourse is enriched by those who offer a critique of this approach.¹⁰⁷³

In presenting a theological virtue ethic as a constructive discourse, it will be necessary to explore, and make the case for: first, why a virtue ethic is a justifiable ethical guide to the moral life, as compared to, for example, a consequentialist or deontological ethic; secondly, how and why the cultivation of virtue continues to present important insights into moral education; thirdly, how and why a virtue ethic might offer a moral language with which to enrich the moral framework of SRE. It introduces a moral language, we will suggest, that presents a more human approach to moral education and human flourishing, not overtly focussed on a young person's capacity for moral reasoning, but offering a more embodied understanding of how directed loves and desires shape habits and contribute to personal formation.¹⁰⁷⁴

In addition, in engaging with a theological virtue ethic as a means of enriching moral discourse around SRE, it is important to highlight a couple of prerequisites that frame the conversation. First, as indicated in Chapter 1, I shall adopt what Cooling presents as a 'transformationalist strategy' in education, where Christian values, rather than being viewed as separatist, are welcomed as a means of enriching moral discourse and contributing to the common good in education. In light of this approach, and in view of modern accounts of the virtues within moral education, I will explore common ground with, in particular, the communitarian and neo-classicalist accounts of character formation, which Hunter suggests have emerged in direct challenge to the inadequacy of the 'sovereign self' account of moral education in psychological approaches to moral education.¹⁰⁷⁵

As such, while not seeking to present a theological virtue ethic as equivalent in meaning and practice to other virtue traditions,¹⁰⁷⁶ I shall echo Stanley Hauerwas and Charles

¹⁰⁷³ For example, see Van der Ven, *Formation*, 431-343, for a discussion on the objections raised against what he refers to as "enlightened advocates" of character formation, those who particularly call for the reinterpretation of an Aristotelian approach to moral education.

¹⁰⁷⁴ See 1.2.

¹⁰⁷⁵ Hunter, *Death*, 193.

¹⁰⁷⁶ In critiquing Hauerwas's adoption of a MacIntyrean theory of tradition, Healy offers useful insight in pointing to where this and a Christian understanding of tradition are incompatible. In particular, he notes that 'for those who seek to dwell within the Christian tradition, our goal cannot primarily be to acquire and maintain a particular identity... Rather, our goal should be to move closer to God in Jesus Christ through the Holy Spirit, a movement that happens only as God acts to draw us closer and we, by grace, respond in fitting ways: grace upon grace' (Healy, *Hauerwas*, 106).

Pinches in suggesting that the differences do not make ‘a conversation between Christian and ancient pagan or modern liberal accounts of the virtues impossible or irrelevant’.¹⁰⁷⁷ Instead, the differences make the conversation ‘all the more necessary as well as interesting’.¹⁰⁷⁸ Hauerwas also notes that the language of virtue or character ‘might well be useful to *most* accounts of moral development’.¹⁰⁷⁹ This discussion will therefore occupy a space between the neo-orthodox and the liberal groupings identified by Arthur in Protestant ethical accounts of virtue.¹⁰⁸⁰

A second prerequisite to any public conversation on the place of virtue in the moral life is to recognise and accept that there will be fundamental differences in the ontological presuppositions brought to bear in the discussion. For example, Roberts points out that, within a classical virtue ethic, a virtue is a ‘realization of actualization of some aspect of human nature’,¹⁰⁸¹ whereas virtues, ascribed and understood within the Christian narrative, are formed in two ways: ‘a. as a response to grace; and b. as imitation of God’.¹⁰⁸² As Wright states: ‘Virtue, in the great philosophical tradition, has always said, “Become what you will be.” Christian virtue says, “What you will be is what you already are in Christ.”’.¹⁰⁸³

In view of these differences, and in embracing the constructive spirit that is inherent in a ‘transformationalist’ approach to SRE, I will, at the same time, seek to be faithful to a theological account of human personhood and human sexuality, recognising that no virtue account is ‘ideologically neutral’,¹⁰⁸⁴ and pointing out where modern accounts of virtue are incompatible with this vision. As long as the public square is open to civil and tolerant public engagement, inevitably a public judgement will be made on the ‘moral orientation’ of a Theological virtue ethic towards a public vision of human flourishing within SRE policy and practice as, indeed, should be the case with every other ‘moral orientation’ represented.

¹⁰⁷⁷ S. Hauerwas and C. Pinches, *Christians among the Virtues: Theological Conversations with Ancient and Modern Ethics*, Notre Dame: University of Notre Dame Press, 1997, x.

¹⁰⁷⁸ Hauerwas and Pinches, *Christians*, x.

¹⁰⁷⁹ Hauerwas, *Community*, 132. He goes on, however, to clarify that his own reflections are specifically concerned with moral growth in the Christian community, emphasising the importance of the narrative context for understanding moral growth.

¹⁰⁸⁰ See 2.4.1.

¹⁰⁸¹ Roberts, ‘Character’, 66.

¹⁰⁸² Roberts, ‘Character’, 69.

¹⁰⁸³ Wright, *Virtue*, 102.

¹⁰⁸⁴ Roberts, ‘Character’, 67.

5.2 Virtue and the Moral Life

It is evident within historic and contemporary theological discourse that the case has been made for why the virtues offer a particularly suitable framework within which to present a Christian understanding of the moral life.¹⁰⁸⁵ Indeed, in reflecting on the role of Scripture in shaping the moral life, William Spohn suggests that the ethics of principles and consequences are subordinate to the ethics of character as a source of moral knowledge.¹⁰⁸⁶

Arguably, the most recent prolific and detailed theological examination of a virtue ethic within the Protestant tradition has been undertaken by the theologian and ethicist, Stanley Hauerwas.¹⁰⁸⁷ Hauerwas notes that every theological ethic adopts a metaphor in which an understanding of the nature of God and man's moral experience is understood. He adopts virtue and character as his central metaphors.¹⁰⁸⁸ This, he notes, does not 'exclude the language of command but only places it in a larger framework of moral experience'.¹⁰⁸⁹ In accounting for the relationship between our beliefs and subsequent behaviour, Hauerwas states: 'Our moral life is not comprised of beliefs plus decisions; our moral life is the process in which our convictions form our character to be truthful'.¹⁰⁹⁰ Wells points out that, for Hauerwas, the efficient rather than the final cause of moral decisions is his primary concern and, as such, 'the stuff of ethics lies further upstream in the formation of the agents who are to become the efficient causes'.¹⁰⁹¹ However, this also leaves Hauerwas open to criticism that he fails to adequately outwork his theological beliefs.¹⁰⁹²

The tradition of viewing the virtues as a means of developing a distinctly Christian understanding of the moral life can be traced back, in particular, to the significant

¹⁰⁸⁵ See Jean Porter's historical account in Porter, 'Virtue Ethics', 87-102. See also B.J. Kallenberg and N.C. Tousley, 'Virtue Ethics', J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 814-819.

¹⁰⁸⁶ Spohn, 'Scripture', 94.

¹⁰⁸⁷ His works on the issue have included *Character and the Christian Life* (San Antonio: Trinity University Press, 1975); *A Community of Character* (Notre Dame: University of Notre Dame, 1981); *The Peaceable Kingdom: A Primer in Christian Ethics* (Notre Dame: University of Notre Dame Press, 1983); *Christians Among the Virtues: Theological Conversation with Ancient and Modern Ethics* (co-authored with Charles Pinches, Notre Dame: University of Notre Dame Press, 1997); however, this is by no means an exhaustive list of Hauerwas' works.

¹⁰⁸⁸ Hauerwas, *Character*, 1, 2. Hauerwas notes the dominance of the 'command-obedience metaphor' within Protestant theological ethics (2).

¹⁰⁸⁹ Hauerwas, *Christian*, 3.

¹⁰⁹⁰ Hauerwas, *Peaceable*, 16.

¹⁰⁹¹ Wells, *Transforming*, 25.

¹⁰⁹² Healy, Hauerwas, 102.

contribution made by Thomas Aquinas in the 13th century in the *Summa Theologica*.¹⁰⁹³ In exploring his theory of morality, Porter notes that Aquinas' theory of virtue differs from that of Hauerwas', in that it is grounded in particular in a 'general theory of goodness and the human good'.¹⁰⁹⁴ For Aquinas, this good is ultimately found in life with God. An ongoing dependence on God's grace, evident in Aquinas' account of the virtues, is something, according to Nicholas Healy, which is missing in Hauerwas' ecclesiocentric approach.¹⁰⁹⁵ It is also, suggests D.J. O'Connor, what marks him out as primarily a theologian rather than a philosopher.¹⁰⁹⁶

Nevertheless, it is important to note that Christian virtues have been informed by, and developed in response to, other moral traditions, in particular, the Hellenistic tradition. Julia Annas suggests that the 'theoretical structure' that the ancient tradition of virtue ethics provides for an understanding of virtue as an ethical theory is unsurpassed, and offers the structure within which to examine all other theories that espouse to be a virtue ethic.¹⁰⁹⁷ In offering an extended critique of the ethic of Aristotle and Aquinas, Hauerwas affirms this position: 'Their thought, in spite of obvious difficulties and ambiguities, continues to be the most adequate systematic account of the nature of character in the history of ethics'.¹⁰⁹⁸

As such, Porter points to two formative sources for a Christian understanding of the virtues – the Hellenistic tradition and those presented in Scripture.¹⁰⁹⁹ Indeed, as a precursor to his exploration of the New Testament Scriptural understanding of Christian virtue, Wright points out that it was the experience of early Christians that 'in and through Jesus they had discovered *both* a totally different way of being human *and* a

¹⁰⁹³ See J. Porter, *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics*, London: SPCK, 1990, for an exploration of the moral philosophy of Aquinas, as found in the *Summa Theologiae*, in dialogue with contemporary Christian ethics. Porter notes that Aquinas was not the first to comment on society's virtuous ideals from a theological perspective, pointing to the conclusions drawn by Augustine on the flawed virtues of Roman society (J. Porter, 'Virtue', G. Meilaender and W. Werpehowski (eds.), *The Oxford Handbook of Theological Ethics*, Oxford: OUP, 2005, 205-219).

¹⁰⁹⁴ Porter, *Recovery*, 104.

¹⁰⁹⁵ Healy, *Hauerwas*, 128, 129.

¹⁰⁹⁶ D.J. O'Connor, *Aquinas and Natural Law*, London: Macmillan, 1967, 5.

¹⁰⁹⁷ J. Annas, 'Virtue Ethics', D. Copp (ed.), *The Oxford Handbook of Ethical Theory*, Oxford: OUP, 2006, 515-536, 515.

¹⁰⁹⁸ Hauerwas, *Character*, 35. In light of his critique of Aristotle and Aquinas, and the questions and ambiguities that he perceives in their virtue ethic, Hauerwas presents his own constructive theory of character (Hauerwas, *Character*, 83-128).

¹⁰⁹⁹ Porter, 'Virtue', 88. While it is beyond the remit of this thesis to offer a detailed exploration of these sources, I shall point to those who have presented the case more fully in terms of the role they play in shaping a theological virtue ethic. See, for example Farley's *In Praise of Virtue: An Exploration of the Biblical Virtue Context*.

way which scooped up the best that ancient wisdom had to offer and placed it in a framework where it could, at last, make sense'.¹¹⁰⁰

5.2.1 A Theo-ethical Understanding of Virtue Ethics

Despite more recent work by theologians such as Hauerwas, when it comes to the exploration of a theological virtue ethic, virtue theory is largely associated with a Catholic moral tradition and, as such, it is suggested remains a 'neglected concept in protestant ethics'.¹¹⁰¹ In particular, when it comes to *educating* for character, Arthur suggests that the Catholic Church 'appears to have a clear, definite and intelligible theory of character formation which is strengthened by religious motive'.¹¹⁰² Arguably, as discussed below, a Protestant approach is not so clearly understood and still lacks an adequate theological framework within which to construct a vision of educating in virtue. However, before exploring the implications of a virtue approach for moral education, it is important to identify key characteristics of this ethical theory, both through a theological and a philosophical lens.

(a) The Moral Agent: Being vs. Doing

In discussing a virtue approach to ethics, Hollinger offers a succinct definition: 'The key issue is not What ought we to do? but rather What ought we to be? The kind of people we are as evidenced by our virtues, firmly implanted within, is the heart and essence of ethics'.¹¹⁰³ For Gushee and Stassen, it is a 'fundamental error' to distinguish between the importance of being and doing.¹¹⁰⁴ Nevertheless, a virtue ethic, in comparison to other ethical traditions, places particular importance on human agency; the morality of an action is measured more by the character and motivation of the moral agent than by a consequentialist judgement, or compliance with law and duty. As such, we are not suggesting that other ethical theories do not offer an account of the moral agent or of virtue and character. As a point of distinction, Carr, for example, notes that while other ethical theories i.e. those within a Kantian or utilitarian tradition, recognise

¹¹⁰⁰ Wright, *Virtue*, 13.

¹¹⁰¹ E. Herms, 'Virtue: A Neglected Concept in Protestant Ethics', *Scottish Journal of Theology*, Vol. 35, 1982, 481-495, 481.

In the afterword to *Virtue Reborn*, Wright notes that writers in New Testament ethics 'don't pay much attention to virtue', nor virtue ethicists give much credence to the New Testament, with a few notable exceptions (246).

¹¹⁰² Arthur, *Education*, 57.

¹¹⁰³ D.P. Hollinger, *Choosing the Good: Christian Ethics in a Complex World*, Grand Rapids: Baker Academic, 2002, 45.

¹¹⁰⁴ Gushee and Stassen, *Kingdom*, 73.

the importance of cultivating the virtues, their point of departure is not the moral agent, but the nature of the moral reasoning needed in order to be accorded status as a moral agent.¹¹⁰⁵ Therefore, while other moral traditions may have a theory of virtue, a moral theory, Michael Slote suggests, that treats virtue as just one aspect of that theory, does not count as a virtue ethic.¹¹⁰⁶

Therefore, in drawing distinctions between an act- and agent-centred ethic, and the problematic nature of the latter, Loudén highlights at least two distinctions. First, when it comes to moral reasoning, while an act-centred ethic is concerned with devising a particular formula of rules to resolve moral dilemmas, an agent-centred ethic is more concerned with the long-term impact of choices on the agent's character.¹¹⁰⁷ Preceding epistemological questions concerned with the content of moral reasoning, a virtue ethic identifies a reciprocal relationship between character and action. Secondly, concerning questions of moral epistemology, an agent-centred ethic is concerned with acting in line with the virtues.¹¹⁰⁸

Regarding the self as moral agent, Hauerwas notes: 'To attribute agency to a person is to assume that he is capable of changing the circumstances around himself'.¹¹⁰⁹ As Carr points out:

one cannot understand what it is to engage in appropriate moral reasoning and deliberation apart from some grasp of what it is to be a moral agent – conceived in terms of the possession of broader qualities of moral character, perception and sensibility.¹¹¹⁰

Not downplaying the role of 'intentions, dispositions, and habits of the heart', Hollinger notes that while character may inform our decisions, the decisions, in turn, inform our character.¹¹¹¹ As such, in understanding the human agent, Joseph Kotva suggests that a virtue theory is positioned between behaviourism and voluntarism:

We are not, as the behaviourist account suggests, simply at the mercy of forces outside our control; we help form our own and each other's character. We also are not,

¹¹⁰⁵ Carr, 'Character', 101.

¹¹⁰⁶ Slote, 'Virtue', 326. For example, Robert Johnson points out that Kant's understanding of virtue presupposes an account of moral duty (R. Johnson, 'Kant's Moral Philosophy', *Stanford Encyclopaedia of Philosophy*, April 2008, <http://plato.stanford.edu/entries/kant-moral/#VirVic>; accessed 01.09.14). See also 'Virtue and its Benefits', in R.M. Adams, *A Theory of Virtue; Excellence in being for the Good*, Oxford: Clarendon Press, 2006, for a discussion on the different understandings of the intrinsic and instrumental benefits of virtue.

¹¹⁰⁷ Loudén, 'Some', 209. See D. Carr, 'Character and Moral Choice in the Cultivation of Virtue', *Philosophy*, Vol. 78, No. 2, March 2003, 219-232.

¹¹⁰⁸ Loudén, 'Some', 210.

¹¹⁰⁹ Hauerwas, *Christian*, 83.

¹¹¹⁰ Carr, 'Character', 101.

¹¹¹¹ Hollinger, *Choosing*, 58, 59.

contrary to the voluntarist account, free from the constraints of character. Past choices and actions influence the kind of person we become, and the kind of persons we become informs our choices and actions.¹¹¹²

In addition, in recognising the inter-relatedness between being and doing, Annas highlights the fact that a virtue is concerned with the disposition to act for a reason: 'The exercise of the agent's practical reasoning is thus essential to the way a virtue is both built up and exercised'.¹¹¹³ According to the classical understanding, a virtuous agent, engaging their affective and intellectual nature, chooses to do the right thing for the right reason.¹¹¹⁴ As Hauerwas points out, Aristotle recognised 'an essential connection between the idea of man capable of action and his existence as a rational being'.¹¹¹⁵ Aristotle's moral agent discerns the end towards which reasoning is directed: 'Now the origin of action (the efficient, not the final cause) is choice, and the origin of choice is appetite and purposive reasoning'.¹¹¹⁶ Accordingly, the reason which precedes moral judgement is informed by the virtues. As Geach states: 'But if (and this is what I believe) all men can attain their last end, but only by right choices, then it is reasonable to suppose that the right choice must be guided by a right view of things'.¹¹¹⁷

On this account, reasoning and choice are not devoid of desire. Hauerwas points out that both Aristotle and Aquinas were 'aware of the interdependence of reason and desire',¹¹¹⁸ thus integrating an understanding of the moral and intellectual virtues.¹¹¹⁹ Choice, therefore, is an intentional outcome of man's rational and desiring self: 'In choice man's will receives its particular determination, for it is in choice that man is committed to act in the concrete, that in electing the act he elects to be a particular kind of man'.¹¹²⁰ This, according to Philippa Foot, distinguishes virtue from a skill or an art, for it is not a 'mere capacity', but must engage the agent's will.¹¹²¹ As such, even though intentions are not always realised, agency and action cannot be separated within an idea of character, in view of the agent's self-determining nature and the embodied

¹¹¹² J.J. Kotva, Jr., *The Christian Case for Virtue Ethics*, Washington, D.C.: Georgetown University Press, 1996, 28.

¹¹¹³ Annas, 'Virtue', 516.

¹¹¹⁴ Annas, 'Virtue', 517.

¹¹¹⁵ Hauerwas, *Character*, 46.

¹¹¹⁶ Aristotle, *The Nicomachean Ethics*, J.A.K. Thomson (tr.), London: Penguin Books, 2004, 1139a30, 146. See N. Sherman, *The Fabric of Character: Aristotle's Theory of Virtue*, Oxford: Clarendon Press, 1989, for a discussion on the inseparability of practical reason and character in Aristotle's theory of virtue: 'For it is practical reason that integrates the different ends of character, refining and assessing them, and ultimately issuing in all considered judgements of what is best and finest to do' (4, 5).

¹¹¹⁷ Geach, *Virtues*, 18.

¹¹¹⁸ Hauerwas, *Character*, 47.

¹¹¹⁹ Hauerwas, *Character*, 59.

¹¹²⁰ Hauerwas, *Character*, 65 (quoting from Aquinas, *ST*, I-II.13. 2).

¹¹²¹ P. Foot, *Virtues and Vices and Other Essays in Moral Philosophy*, Oxford: Blackwell, 1978, 8.

nature of his actions: ‘Man’s very ability to engage the world, shaping it in accordance with his intentions and projects, determines who he is’.¹¹²² This echoes Thielicke’s vision of sexual personhood, in which sexual behaviour is not viewed in isolation, but is understood alongside our thinking, feeling and willing attributes.¹¹²³

Acquiring character through determined action, therefore, lies at the heart of what Hauerwas understands it to mean to have character.¹¹²⁴ Character is something that is not fixed or permanently determined, but accounts for the ‘continuing qualification of our agency’.¹¹²⁵ As Georg Henrik von Wright notes: ‘Because of the lack of an essential tie between a virtue and an act-category, *the path of virtue is never laid out in advance*. It is for the man of virtue to determine where it goes in the particular case’.¹¹²⁶ For Wright, as understood within a New Testament framework, ‘virtue is the result of thought and choice’.¹¹²⁷ Yet a philosophical and theological account recognise the impact of habitual virtuous behaviour on one’s long-term character, where virtuous acts are done, among other things, notes Aristotle, from a ‘fixed and permanent disposition’ (1105a 32).¹¹²⁸ As Wright states: ‘*virtue* is what happens when wise and courageous choices have become “second nature”’.¹¹²⁹

Therefore, based on a progressive understanding of the moral self, Hauerwas notes that ‘the ethics of character is concerned with the self’s duration, growth, and unity’,¹¹³⁰ and, within a theological account, accorded with the doctrine of sanctification. Of course, other moral theories of virtue ethics will not understand character formation within such a conceptual frame. Yet it remains a main task of virtue ethicists, Slote suggests, to give an account of how people should act, ‘giving a *distinctively virtue-ethical account* of the rightness or wrongness, goodness or badness, of human actions’.¹¹³¹

(b) Virtue Epistemology: A Community of Meaning

Beyond the long-term impact of an agent’s choices on their character, Loudén’s second distinctive feature of a virtue ethic is that, where the motivation of an act-centred ethic

¹¹²² Hauerwas, *Christian*, 114.

¹¹²³ See 2.4.

¹¹²⁴ Hauerwas, *Character*, 79.

¹¹²⁵ Hauerwas, *Character*, 120.

¹¹²⁶ G.H. von Wright, *The Varieties of Goodness*, London: Routledge & Kegan Paul, 1963, 145.

¹¹²⁷ Wright, *Virtue*, 134.

¹¹²⁸ Aristotle, *Nicomachean*, 37.

¹¹²⁹ Wright, *Virtue*, 9.

¹¹³⁰ Hauerwas, *Character*, 179.

¹¹³¹ Slote, ‘Virtue’, 326.

is the concept of duty or the maximisation of utility, the motivation of a virtue theorist is the virtues themselves.¹¹³² Accordingly, one ‘vice’ of the longer-term, virtue-centred approach, he suggests, is that it may lead to a ‘peculiar sort of moral backsliding’, due to the focus on good or bad agents, rather than right of wrong actions.¹¹³³

When it comes to envisioning the moral life through a theological lens, a biblical understanding of virtue is often equated, Hollinger suggests, with teachings concerning the disposition of ‘the heart’.¹¹³⁴ However, this, points out Stassen and Gushee, should be a holistic understanding of inner heart and outward action in relationship to God. As Hauerwas notes, a theological ethic of character is problematic for those who view command as central to ethics, reflecting a more general concern about the danger of ethics seeking to understand the Christian life apart from God’s grace.¹¹³⁵

O’Donovan cautions against an understanding of the biblical teaching on the heart overlooking the place of moral action, substituting ‘agent-evaluation for act-evaluation’.¹¹³⁶ Instead, he suggests, it is important to recognise the correlation between the two: ‘(a) the subject’s character must not be reduced to a function of his acts; (b) the subject’s acts must be allowed to disclose his character, which will make itself known only through them’.¹¹³⁷ On the first point, Hauerwas points to a similar conclusion drawn by Aristotle’s ethic, in that ‘the mere fact that a man performs certain acts does not mean that he is a man of good character’.¹¹³⁸ Additionally, Loudén notes the fact that nobody is morally infallible, for ‘even the best person can make the wrong choices’.¹¹³⁹ Also, moral characters, he suggests, are vulnerable to change.¹¹⁴⁰ The second point is of particular importance for an understanding of virtue within the moral life, for in noting the ‘epistemological priority of act’, O’Donovan suggests that knowledge of a person’s character is important, not for deliberative moral reasoning, but

¹¹³² Loudén, ‘Some’, 205.

¹¹³³ Loudén, ‘Some’, 209.

¹¹³⁴ ‘The word *heart* occurs hundreds of times in English translations of the Bible, and it is clearly the closest concept to character, the innate moral dispositions of the moral actor’ (Hollinger, *Choosing*, 56).

¹¹³⁵ Hauerwas, *Christian*, 130, 131. Hauerwas highlights particularly Bultmann and Barth as expounders of this position, those who ‘fail to exploit the language of growth and character’ (177).

¹¹³⁶ O’Donovan, *Resurrection*, 205.

¹¹³⁷ O’Donovan, *Resurrection*, 206.

¹¹³⁸ Hauerwas, *Character*, 39.

¹¹³⁹ Loudén, ‘Some’, 206.

¹¹⁴⁰ Loudén, ‘Some’, 208.

for the moral evaluation of an act.¹¹⁴¹ Equally, Louden points out, ‘we cannot always know the moral value of a person’s character by assessing his or her actions’.¹¹⁴²

O’Donovan’s view on the epistemological priority of act differs from, for example, Rosalind Hursthouse’s neo-Aristotelian understanding of virtue where she advocates the epistemological priority of agent over act. In responding to the perceived weakness of a virtue ethic in providing specific moral guidance, she argues that moral rules and virtues both require an account of morality in order to guide moral decision and are, therefore, both open to the danger of relativism or moral scepticism.¹¹⁴³ Hursthouse’s virtue-centred approach contends that an agent flourishes to the extent that they live a virtuous life and engage in virtuous activity.¹¹⁴⁴

However, as discussed in Chapter 4, this leaves unanswered the criteria against which an evaluative account of their behaviour is given or, indeed, a guide as to what the moral agent should do or be. In exploring a virtue ethics approach to sexuality, Halwani questions whether there are sexual acts that a virtuous person would not engage in and, equally, whether there are acts, that stem from vice, that are deemed wrong.¹¹⁴⁵ Virtue-based theories are open, Louden suggests, to the charge of ‘style over substance’ in terms of the ends to which they are directed.¹¹⁴⁶ He argues that a virtue ethic is ‘particularly weak in the areas of casuistry and applied ethics’.¹¹⁴⁷ In addition, he points to the necessity of morally condemning some acts in view of their intolerable nature,¹¹⁴⁸ arguing overall that acts, rather than agents, should sometimes be the locus of moral evaluation.¹¹⁴⁹ As Linville points out: ‘We should be able to say simply that rape and genocide are wrong because people ought neither to be raped nor exterminated’.¹¹⁵⁰ This, of course, depends on an ethical theory being able to give an adequate ontological account of moral truth, including an account of personhood.

In view of the narrative context within which a virtue ethic is understood, the community is given an elevated place and influence in shaping the meaning of the moral

¹¹⁴¹ O’Donovan, *Resurrection*, 215.

¹¹⁴² Louden, ‘Some’, 211.

¹¹⁴³ R. Hursthouse, *On Virtue Ethics*, Oxford: OUP, 1999, 32-34.

¹¹⁴⁴ Slote, ‘Virtue’, 328.

¹¹⁴⁵ R. Halwani, ‘Ethics, Virtue’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 279-285, 280.

¹¹⁴⁶ Louden, ‘Some’, 215.

¹¹⁴⁷ Louden, ‘Some’, 205.

¹¹⁴⁸ Louden, ‘Some’, 207, 208.

¹¹⁴⁹ Louden, ‘Some’, 210.

¹¹⁵⁰ Linville, ‘Moral’, 431.

life and determining moral character. As I will continue to note, this is particularly exemplified within the theological ethic of Hauerwas.¹¹⁵¹ All ethical theories, according to Hauerwas, are always narrative dependent, and attempts to find points of contact between different moral theories ‘inevitably result in a minimalistic ethic and often one which gives support to forms of cultural imperialism’.¹¹⁵² In view of this, he argues that ‘Christian ethics can never be a minimalistic ethic for everyone, but must presuppose a sanctified people wanting to live more faithful to God’s story’.¹¹⁵³

However, Smith suggests that our liturgical existence as ‘imaginative, narrative animals’,¹¹⁵⁴ is part of our created nature and is, therefore, as applicable within a Christian understanding of formation as it is within secular accounts.¹¹⁵⁵ As embodied actors, we find meaning in the practices and habits which shape our world: ‘We *live into* the stories we’ve absorbed; we become characters in the drama that has captivated us’.¹¹⁵⁶ In correlation with much of the discussion in Chapter 4, it is of interest to note, therefore, the implications of Smith’s observations for an understanding of sexuality: ‘Sexuality, then, is not just some animal response to stimuli embedded in biological organs; sexuality is a product of *meaning*’.¹¹⁵⁷

Nevertheless, while narrative can give content and meaning to our existence, Hollinger questions whether it can provide a sufficient foundation for ethics. Instead, he suggests that we need both the ‘broad strokes’ of narrative and the ‘specific pointers’ of commands and principles.¹¹⁵⁸ He notes, in particular, a ‘transcendent reality’ beyond the context of community which can be known through the revelation of God in the ‘written and incarnate Word’.¹¹⁵⁹ Therefore, when it comes to Christian sexual ethics, while he affirms the ‘foundation, motivation, and substance’ that narrative provides, he yet points to the fact that ‘principles are a significant part of divine revelation and show us the directions and boundaries our sexual lives ought to reflect’.¹¹⁶⁰ However, those who advocate a theological, virtue-centred approach to ethics do not dismiss the

¹¹⁵¹ See, for example, Chapter 7, ‘Character, Narrative, and Growth in the Christian Life’ in Hauerwas, *A Community of Character*, 129-152, and Chapter 2, ‘A Qualified Ethic: The Narrative Character of Christian Ethics’ in Hauerwas, *The Peaceable Kingdom*, 17-34.

¹¹⁵² Hauerwas, *Peaceable*, 61.

¹¹⁵³ Hauerwas, *Peaceable*, 97.

¹¹⁵⁴ Smith, *Imagining*, 108.

¹¹⁵⁵ Smith, *Imagining*, 140.

¹¹⁵⁶ Smith, *Imagining*, 32.

¹¹⁵⁷ Smith, *Imagining*, 61.

¹¹⁵⁸ Hollinger, *Choosing*, 59.

¹¹⁵⁹ Hollinger, *Choosing*, 60.

¹¹⁶⁰ Hollinger, *Meaning*, 42.

authority of Scripture or the implications of the Incarnation for Christian ethics, but recognise that both provide the content and context which give form and meaning to community.¹¹⁶¹ In addition, as Porter suggests, the language of virtue and the language of moral rules may indeed provide different roles within moral discourse, neither replacing nor reducing the necessity for the other.¹¹⁶²

Therefore, in light of the multi-dimensional nature of character formation, Gushee and Stassen, as indicated in Chapter 1, suggest a move from talking of virtue ethics to ‘holistic character ethics’,¹¹⁶³ presenting four dimensions of a character ethic which they advance as faithful to Jesus’ teaching and a broader biblical ethic: ‘our passions/loyalties, our perceptions, our way or reasoning and our basic convictions’.¹¹⁶⁴ The first dimension appears to echo Smith’s anthropological presuppositions – that we are more than autonomous minds, but our passions and related loyalties to people, practice, and communities and ultimately to God, deeply shape our character. This reflects what van der Ven notes to be the inter-relational dynamic of character development: ‘Character does not unfold from within the person in isolation, but is called out through interaction with others in that situation, and through the grappling with tasks and challenges that are part of that situation’.¹¹⁶⁵ A holistic model, Gushee and Stassen suggest, avoids ethics deteriorating into ‘inward emigration’, overtly focussed on private morality and failing to take account of the social context in which character is shaped.¹¹⁶⁶

(c) The *Telos* of the Moral Agent and the Moral Life

In conclusion, a virtue ethic gives particular attention to the teleological character and function of the individual and the moral life, as well as to the moral life of the community. Particularly evidenced in an Aristotelian ethic,¹¹⁶⁷ and arguably most fervently defended by MacIntyre in modern philosophical discourse,¹¹⁶⁸ the moral life is a trajectory towards the individual acting in accordance with the essential nature and function of a human being: ‘Within that teleological scheme there is fundamental

¹¹⁶¹ See, for example, Chapter 2 and 3 of Hauerwas’ *A Community of Character: Toward a Constructive Christian Social Ethic*, 36-52, 53-71.

¹¹⁶² Porter, *Moral*, 137.

¹¹⁶³ Gushee and Stassen, *Kingdom*, 55.

¹¹⁶⁴ Gushee and Stassen, *Kingdom*, 59.

¹¹⁶⁵ van der Ven, *Formation*, 354.

¹¹⁶⁶ Gushee and Stassen, *Kingdom*, 74.

¹¹⁶⁷ For a summary of Aristotle’s theory of moral character see Carr, ‘Character’, 104-108.

¹¹⁶⁸ Again, see a summary of MacIntyre’s position in Carr, ‘Character’, 108-110.

contrast between man-as-he-happens-to-be and man-as-he-could-be-if-he-realized-his-essential-nature'.¹¹⁶⁹

Annas highlights that virtues are character traits that must manifest a commitment to 'some ethical *value*' such as justice, where the moral agent does not just perform actions that are judged to be just, but is disposed, engaging practical reasoning, to act accordingly.¹¹⁷⁰ Where different virtue theories will identify different values, what is central in a classical virtue ethic, suggest Annas, is that one's actions are understood within a broader conception of the whole of life.¹¹⁷¹ Thus, as Meilaender points out: 'To see this is to understand why *vision* is likely to be a central theme in any ethic of virtue. Our virtues do not simply fit us for life; they help shape life'.¹¹⁷² Relevant to our own discussion, Eilert Herms points out that making the connection between action and a vision of the moral subject lies at the very heart of moral education.¹¹⁷³

Aristotle believed human action was directed towards 'eudaimonia', understood as 'happiness' or 'living well'.¹¹⁷⁴ He was not alone in defending this view of the moral life for, as Daniel Russell points out, all the major schools of philosophy in Ancient Greece were eudaimonists, understanding that all practical reason requires a final end,¹¹⁷⁵ and suggesting that this vision of the good life incorporates '*human* fulfilment and *individual* fulfilment'.¹¹⁷⁶ However, the difference in the understanding of 'eudaimonia', both between ancient and modern ethics and between contemporary virtue theories has, as Slote suggests, signified a 'fundamental divide' in approaches.¹¹⁷⁷

Nevertheless, it should at least be acknowledged that when it comes to understanding young people and their sexual behaviour, a vision of human flourishing which focusses solely on the absence of pregnancy or disease may invariably fall short, as, indeed, would a vision which gives undue attention to satisfying sexual impulses. For, as Scruton suggests, 'health is the state in which I flourish as an animal; happiness is the

¹¹⁶⁹ MacIntyre, *After*, 52.

¹¹⁷⁰ Annas, 'Virtue', 519.

¹¹⁷¹ Annas, 'Virtue', 520.

¹¹⁷² Meilaender, *Theory*, 11.

¹¹⁷³ Herms, 'Virtue', 491.

¹¹⁷⁴ 'Well, so far as the name goes there is pretty general agreement. "It is happiness", say both ordinary and cultured people; and they identify happiness with living well or doing well' (1095a 17-20) (Aristotle, *Nicomachean*, 6, 7).

¹¹⁷⁵ D.C. Russell, 'Virtue Ethics, Happiness, and the Good Life', D.C. Russell (ed.), *The Cambridge Companion to Virtue Ethics*, Cambridge: CUP, 2013, 7-28, 8.

¹¹⁷⁶ Russell, 'Virtue', 11.

¹¹⁷⁷ Slote, 'Virtue', 327. In addition, Trigg notes the differences among the ancient philosophers' understandings of final ends, e.g., unlike Plato, Aristotle did not point to a transcendent source for meaning and value but looked for reason in everything in the natural (Trigg, *Ideas*, 22).

state in which I flourish as a person'.¹¹⁷⁸ In addition, understanding Aristotle's vision of happiness, Scruton points out, does not amount to the 'satisfaction of impulses, but to the fulfilment of the person'.¹¹⁷⁹ The achievement of happiness amounts to acting virtuously, deliberating rationally on what will achieve the ultimate good, with an individual's reason informed by the virtues. As MacIntyre points out, 'the virtues are precisely those qualities the possession of which will enable an individual to achieve *eudaimonia* and the lack of which will frustrate his movement towards that *telos*'.¹¹⁸⁰ Foot also notes the need for virtue in the life of the moral agent: 'Human beings do not get on well without them. Nobody can get on well if he lacks courage, and does not have some measure of temperance and wisdom, while communities where justice and charity are lacking are apt to be wretched places to live'.¹¹⁸¹ As such, beyond the individual, the community benefits.

Of course, for this discussion it is important to make a distinction between a philosophically informed and theologically informed understanding of human *telos*. MacIntyre suggests that Aristotle's scheme is 'complicated and added to, but not essentially altered, when placed within a framework of theistic beliefs'.¹¹⁸² For MacIntyre, one such addition is the concept of sin.¹¹⁸³ Indeed, he notes that 'there is no word in the Greek of Aristotle's age correctly translated 'sin', 'repentance', or 'charity''.¹¹⁸⁴ However, as I shall explore later, the doctrine of sin fundamentally alters our theological understanding of human nature and the outworking of moral theory. In defence of a distinctly theological ethic of virtue, John Millbank, for example, argues that the 'counter-history', 'counter-ethics' and 'counter-ontology' of Christianity makes MacIntyre's assertion refutable in its presumptions and presuppositions.¹¹⁸⁵ However, while the content of virtue and virtuous living is fundamentally altered, there is inevitable continuity in the conceptual framework of human *telos*, even if MacIntyre concedes that 'only grace enables us to respond to and obey its precepts'.¹¹⁸⁶

¹¹⁷⁸ Scruton, *Sexual*, 327.

¹¹⁷⁹ Scruton, *Sexual*, 326.

¹¹⁸⁰ MacIntyre, *After*, 148.

¹¹⁸¹ Foot, *Virtues*, 3.

¹¹⁸² MacIntyre, *After*, 53.

¹¹⁸³ MacIntyre, *After*, 53.

¹¹⁸⁴ MacIntyre, *After*, 174.

¹¹⁸⁵ See Chapter 11 and 12 of J. Milbank, *Theology and Social Theory: Beyond Secular Reason*, Oxford: Blackwell, 1990, 326-379, 380-438.

¹¹⁸⁶ MacIntyre, *After*, 54.

For example, in discerning a theological understanding of human *telos*, Kotva highlights three points, on which he suggests, consensus has been reached: First, that the human good is embodied in the practice of virtue; secondly, that the embodied virtues are an inclusive part of the human good; and thirdly, that the human good is an individual and corporate activity.¹¹⁸⁷ On the third point, he highlights that the functional nature of moral growth inevitably involves others and, in addition, he argues for the interconnectedness of the human good: ‘The human *telos* is found in common projects, shared activities, and intimate relationships’.¹¹⁸⁸ Indeed, he points out that many virtues lose their function and purpose outside of social relationships.

Essential for my own discussion is his observation concerning our social and relational nature, as understood within a virtue theory:

virtue theory views us as creatures who fully flourish as individuals in relationships. The human *telos*, the best kind of life for humans, is one in which we become fully individuated in the midst of various kinds of intrinsically worthwhile relationships.¹¹⁸⁹

The definition of an ‘intrinsically worthwhile relationship’ will inevitably be shaped and determined by the moral community for, as discussed in Chapter 1 and as MacIntyre argues, there can be no neutral account of virtue. All virtues are determined by the moral narrative from which they arise. Gushee and Stassen point out that, for Kotva, this is an ethic grounded in biblical and theological understanding and convictions which view the moral end of the Christian life to that of being conformed into the image of Christ.¹¹⁹⁰ However, I shall later explore how our social nature and the corresponding virtues can be understood outside of the Christian life, yet remain faithful to a Christian understanding of personhood and the outworking of grace. In light of basic Christian ethical convictions, such as Christlikeness and justice, Gushee and Stassen, for example, note that a discussion within a secular context may not prove redundant: ‘The trick is to figure out how and where the way of Jesus can be normative for public ethics by persuasion’.¹¹⁹¹ It is with this in mind that I approach a virtue approach to moral education.¹¹⁹²

¹¹⁸⁷ Kotva, *Christian*, 20, 21.

¹¹⁸⁸ Kotva, *Christian*, 21.

¹¹⁸⁹ Kotva, *Christian*, 22.

¹¹⁹⁰ Gushee and Stassen, *Kingdom*, 70.

¹¹⁹¹ Gushee and Stassen, *Kingdom*, 61.

¹¹⁹² Despite Gushee and Stassen proposing ‘character ethics’ over ‘virtue ethics’, we will continue to use both terms indiscriminately, as is the case in most literature and discussions.

5.3 Cultivation of Virtue: The Place in Moral Education

It is important, for this discussion, to develop a fuller understanding of a virtue ethics framework, an understanding which moves beyond simply discerning its implications for the moral life of the individual and the community, and recognises the inference for an account of moral education, in particular moral education in a pluralistic context. For, despite its historic credentials, to enter a discussion on character education is, according to Arthur, to ‘enter a minefield of conflicting definitions and ideologies’.¹¹⁹³

Indeed, alongside a public defence for its existence,¹¹⁹⁴ from earliest Western philosophical discourse, the effectiveness of moral education has been questioned. As Meilaender points out, Plato’s reflections suggest that knowledge of the good was dependent upon the direction of one’s soul towards such an attainment: ‘The entire program of moral education which the *Republic* sketches can offer no guarantee that we will not, in the end, prefer to remain wilfully ignorant’.¹¹⁹⁵ However, this does not dissuade from the importance of imparting a moral vision or instructing moral conscience and, as Aristotle pointed out, the political community played an inevitable role in doing so.¹¹⁹⁶ Earliest accounts of ethical teaching and learning within the Christian church evidence the place the virtues occupied in the curriculum, interpreting, in particular, the Greek philosophical tradition in light of the Christian faith.¹¹⁹⁷

In expounding a virtue approach to moral education, Carr and Steutel highlight many of the distinctions noted above in differentiating a virtue ethic from other ethical approaches. For example, they suggest a broad and narrow interpretation of a virtue approach:

On the broad interpretation, a virtue ethics certainly requires us to provide an ethical justification of virtues – some account of their moral significance – but on a narrow interpretation, the ethics of virtue points to a justification of a particular kind: one which grounds moral life and the aims of education in other than utilitarian and Kantian considerations.¹¹⁹⁸

In comparison to other theories of moral education, a virtue approach advocates that moral education and engagement has an intrinsic, rather than just an extrinsic, benefit in

¹¹⁹³ Arthur, ‘Traditional’, 80. Arthur charts the development of character education from its Greek origins to the most recent approaches adopted in Britain and America.

¹¹⁹⁴ See 3.1.

¹¹⁹⁵ Meilaender, *Theory*, 74.

¹¹⁹⁶ Meilaender, *Theory*, 97.

¹¹⁹⁷ See, for example, the account of the curriculum of Origen in F.M. Young, ‘Towards a Christian *Paideia*’, M.M. Mitchell and F.M. Young (eds.), *The Cambridge History of Christianity Volume 1: Origins to Constantine*, Cambridge: CUP, 2006, 485-500.

¹¹⁹⁸ Carr and Steutel, ‘Virtue Ethics’, 6, 7.

that life is enriched by the possession of virtues and young people are brought to appreciate the moral life for its own sake.¹¹⁹⁹ For example, in contrast to trait or character-utilitarianism, character traits are good, not in so far as they maximise utility, but for their own intrinsic merit and that they constitute a vision of human flourishing.¹²⁰⁰ Carr highlights characteristics such as honesty, self-control and justice, as exemplified in the moral virtues, as dispositions which carry their own intrinsic value.¹²⁰¹ Yet, despite the presumed value of these traits, Carr and Steutel note ‘a surprising dearth’ in contemporary philosophical thinking on virtue theory.¹²⁰²

In addition, a virtue ethic moves moral education beyond the acquisition of knowledge and the ability to process cognitively to understanding the role motivation plays in appreciating and outworking moral principles.¹²⁰³ In doing so, Carr and Steutel note that it seeks to present a more coherent picture of the interplay between ‘reason, affect and behaviour in virtuous conduct’.¹²⁰⁴ Indeed, the interaction between judgement and action, suggests Roger Straughan, lies at the heart of morality and moral education.¹²⁰⁵ As such, there is a practical emphasis on the moral life and moral education which accentuates the acquisition and habitual exercise of practical wisdom and the relation of virtue to character.¹²⁰⁶ MacIntyre notes Aristotle’s distinction between two kinds of moral education, where ‘intellectual virtues are acquired through teaching, the virtues of character from habitual exercise’.¹²⁰⁷ Carr and Steutel also point to the impact that another’s practice can have on us, and vice versa, emphasising the particular importance of this modelling for moral development.¹²⁰⁸

¹¹⁹⁹ See, for example, D. Putman, ‘The Primacy of Virtue in Children’s Moral Development’, *Journal of Moral Education*, Vol. 24, No. 2, 1995, 178-183.

¹²⁰⁰ Carr and Steutel, ‘Virtue Ethics’, 14.

¹²⁰¹ Carr, ‘Problems’, 15.

¹²⁰² D. Carr and J. Steutel, ‘The Virtue Approach to Moral Education: Pointers, Problems and Prospects’, D. Carr and J. Steutel (eds.), *Virtue Ethics and Moral Education*, London: Routledge, 1999, 241-255, 241.

¹²⁰³ Carr and Steutel, ‘Virtue Approach’, 245.

¹²⁰⁴ Carr and Steutel, ‘Virtue Approach’, 252.

¹²⁰⁵ R. Straughan, ‘Judgement and Action in Moral Education’, B. Spiecker and R. Straughan (eds.), *Philosophical Issues in Moral Education and Development*, Milton Keynes: Open University Press, 1988, 6-16.

¹²⁰⁶ Carr and Steutel, ‘Virtue Approach’, 252. Halstead and McLaughlin point to Aristotle’s understanding of *phronesis* in *The Nicomachean Ethics*: ‘it is not possible to be fully good without having practical wisdom, nor practically wise without having excellence of character’ (1144b31-2) (Halstead and McLaughlin, ‘Education’, 135).

¹²⁰⁷ MacIntyre, *Virtue*, 154. For a discussion on the place of moral and intellectual virtues in moral education see R. Curren, ‘Cultivating the Moral and Intellectual Virtues’, R. Curren (ed.), *Philosophy of Education: An Anthology*, Oxford: Blackwell, 2007, 507-516.

¹²⁰⁸ Carr and Steutel, ‘Virtue Approach’, 253.

In line with these observations, and drawing on the place of virtue in Aristotle's moral philosophy, Carr highlights three key contributions that a virtue ethic can make to philosophical reflections on moral education. First, as mentioned above, it brings focus to the practical and habitual nature of the moral life and emphasises the need for practical training in the moral virtues, grounded in the exercise of temperance and self-control;¹²⁰⁹ secondly, it stresses the responsibility of parents, teachers and responsible adults in presenting examples of model conduct;¹²¹⁰ thirdly, full virtue is achieved when moral habituation is accompanied by the exercise of moral deliberation, practical wisdom.¹²¹¹

Nevertheless, in drawing on the elements of a virtue theory, as discussed above, and, in particular, exploring the philosophical logic and moral foundations of a virtue approach, our attention must turn to the implications of such an approach outworked in public policy. Discussion and deliberation inevitably emerges over whether it is in fact possible in a pluralist democracy to find a 'unifying concept of a virtue'; as Halstead and McLaughlin note, 'whether some virtues are universal and fundamental with respect to their significance for human life or whether virtues in general are inherently relativistic and particularistic'.¹²¹² In order to enrich moral discourse around SRE with a constructive language of virtue, these questions must invariably be addressed.

5.3.1 The 'Death of Character'

As explored in Chapter 3, the predominant place given to the process of moral enquiry, based on the assumptions presented within developmental psychology, have dominated the landscape of moral education.¹²¹³ In noting the challenge to this educational theory from the neoclassical¹²¹⁴ and communitarian¹²¹⁵ critics, and the practical "character

¹²⁰⁹ Carr, 'Character', 114.

¹²¹⁰ Carr, 'Character', 115.

¹²¹¹ Carr, 'Character', 115.

¹²¹² Halstead and McLaughlin, 'Education', 134.

¹²¹³ As Carr and Steutel point out, the work of Piaget, Kohlberg and other cognitive developmental theorists had become the 'holy grail' of post-war liberal educationalists (Carr and Steutel, 'Virtue Approach', 243).

¹²¹⁴ Hunter points to, for example, William J. Bennett's *The Book of Virtues* as a neoclassical approach to moral education using stories from literature and history to teach the virtues. However, as he notes, 'the question is, on whose terms will children be anchored? Which stories and whose history will provide the common frame of reference for society?' (Hunter, *Death*, 112).

Carr and Steutel do not dismiss the potential of literature as an avenue of 'received wisdom', suggesting instead that 'urgent conceptual and empirical work needs to be done within the broad remit of virtue theory on the effects of literature and other media on the moral formation of young people' (Carr and Steutel, 'Virtue Approach', 253).

education” pedagogies that have emerged as a consequence of both theories,¹²¹⁶ Hunter concludes that the alternative pedagogies have amounted more to political rhetoric than to a significant shift in educational approach: ‘At the end of the day, the dominant strategy of moral education is not challenged as much as it is repackaged’.¹²¹⁷ This critique is as much directed towards Protestant Christian pedagogies as others, where he claims ‘the moral imagination is framed more by the categories of psychology than either scripture or theology’.¹²¹⁸ In echoing Hunter’s criticism, Arthur notes: ‘It is both interesting and strange that some Protestant writers in the field are suspicious of Aristotle and not Piaget, and that they trust Kohlberg and not Aquinas’.¹²¹⁹

In short, moral education, as a reflection of the dramatic shifts in moral culture, has deeply shifted in its institutional character and its normative presuppositions and distinctions, framed no longer by a shared civic virtue but by a perceived liberal neutrality. What has resulted, Hunter argues, is an incoherent moral philosophy which boils down to the promotion of personal preferences; without the binding influence of moral communities and creeds, what we are left with is ‘virtue on the cheap’.¹²²⁰ In a similar tome, Hauerwas critiques a ‘moral development that is independent of content’, pointing out that the idea of moral development is ‘seductive’, on account of the fact that it presupposes an understanding of what accounts as moral.¹²²¹ He notes a failure within the Christian community to articulate concepts which give understanding to the relationship between behaviour and belief.¹²²²

¹²¹⁵ Recognising the diversity of the social and philosophical understandings of communitarianism, Hunter distinguishes it from the neoclassical approach to virtue in that it focusses on public rather than private virtues (Hunter, *Death*, 112).

¹²¹⁶ He explores, for example, the work of Thomas Lickona in *Educating for Character: How our Schools Can Teach Respect and Responsibility*, London: Bantam Books, 1991.

¹²¹⁷ Hunter, *Death*, 128.

¹²¹⁸ Hunter, *Death*, 136. For example, in giving a theological account of character, Roberts highlights the different roles and purposes that the virtues have according to their psychological type, e.g. self-management skills such as self-control and patience (Roberts, ‘Character’, 68).

This ‘bag of virtues’ approach was the very thing that Kohlberg, in his cognitive developmental approach, was seeking to avoid. In contrast to Protestant pedagogies, Hunter notes that the Catholic and Jewish approaches to moral education are largely free of psychological categories, which he accounts to the fact that perhaps Protestantism presents a ‘more individualizing faith’ (Hunter, *Death*, 145).

¹²¹⁹ Arthur, *Education*, 54.

¹²²⁰ Hunter, *Death*, 201.

¹²²¹ Hauerwas, *Community*, 129.

¹²²² Hauerwas, *Community*, 131,132.

In addition, Halstead and McLaughlin echo Hunter's concerns over contemporary approaches to character education, critiquing the 'non-expansive' nature of these approaches,¹²²³ and warning that:

in the absence of an overall and adequately sophisticated characterisation of the nature and structure of the virtues, and a specification of the ingredients of the sort of practical reasoning with which they must be inseparably connected, proponents of 'character education' are in danger of being left with a mere 'bag of virtues' for transmission.¹²²⁴

Thus, presented within an inadequate moral framework, the difficulty of addressing and seeking to resolve 'questions of meaning, priority and coherence with respect to the virtues' is very evident.¹²²⁵ In concurring with these concerns, we are presented with a significant challenge for the future content of moral education and, in particular, character education. Concerning issues of particularity with regard to moral content and meaning, Hunter rightly suggests: 'These moral matters simply cannot be addressed without getting into the practicalities of moral commitment and the traditions and communities that ground those commitments'.¹²²⁶ As explored in Chapter 2, this reflects what for MacIntyre amounted to an 'indeterminacy of meaning' with regards to an understanding of moral character and corresponding virtues.¹²²⁷

In light of this challenge, Carr and Steutel suggest that one solution has been to incorporate a broad Aristotelian conception of moral formation within the existing liberal-principled framework: 'The overall aim would be, in short, to have the liberal cake, but eat it communitarianly'.¹²²⁸ As such, Halstead and McLaughlin point to 'expansive conceptions' of character education, which seek to remedy the weakness in non-expansive accounts. With expansive conceptions:

a fuller and more substantial account is offered of matters such as the nature and extent of its rationale, the qualities of character and virtue aimed at, and the role given to appropriate forms of reasoning on the part of students.¹²²⁹

Yet they highlight the challenge that exists for expansive concepts of character education: on the one hand, outlining common values and virtues within a secular moral

¹²²³ A 'non-expansive' approach to character education is one that offers an insufficient rationale for its conception, proposes fundamental traits that should be directly taught, and downplays the role of reason in moral decision-making (Halstead and McLaughlin, 'Education', 137. See pgs.142-146 for an expounded account of their critique).

¹²²⁴ Halstead and McLaughlin, 'Education', 145.

¹²²⁵ Halstead and McLaughlin, 'Education', 145.

¹²²⁶ Hunter, *Death*, 210.

¹²²⁷ See 2.5.

¹²²⁸ Carr and Steutel, 'Virtue Approach', 249.

¹²²⁹ Halstead and McLaughlin, 'Education', 146.

education, which avoid the practical and philosophical weaknesses of non-expansive accounts while, on the other, evade accusations of illicit steering and indoctrination.¹²³⁰

One suggested way of avoiding the pitfalls of both approaches is to educate for liberal democracy, with Halstead and McLaughlin highlighting key thinkers in progressing the argument for educating in ‘civic virtue’.¹²³¹ Educating according to the principles and virtues required for participation within a democratic society is, for example, for Gutmann, the primary purpose of public education.¹²³² This involves teaching the ‘morality of association’ which incorporates such virtues as ‘empathy, trust, fairness, and benevolence’.¹²³³ Recognising that no morally neutral account of sex education can be found, she affirms the democratic process in deciding on the legitimacy of teaching the subject and the appropriate approach.¹²³⁴

However, notwithstanding the value of the democratic process, there remains the same unanswered question concerning the ontological foundations of the possible virtues up for discussion. The nature, meaning and content of the virtues would appear to be self-evident or, perhaps, the hope exists that they might become self-evident after democratic deliberation. Yet in Robert Nash’s call for a ‘moral conversation’, grounded in a critique of the authoritative ‘minsters of morality’ within character education in America, such questions are irrelevant: ‘I believe a nonfoundational, multifunctional, and nonexclusionary public moral language is a key in promoting reconciliation and eschewing division not just in a classroom, but in a democracy as well’.¹²³⁵

Adding to Gutmann’s dispositions for democratic deliberation and decision-making, Nash presents his ‘postmodern virtues’,¹²³⁶ judged necessary for moral conversation. In view of his non-foundational position, he does so in the hope of avoiding accusations of being nihilistic or antireligious.¹²³⁷ While his emphasis on the need for a moral conversation within a pluralist, secular democracy is admirable, there should remain not only a concern that ultimate questions concerning moral truth remain unanswered, but that they deliberately remain so. Even those virtues such as humility, faith, self-denial

¹²³⁰ Halstead and McLaughlin, ‘Education’, 148.

¹²³¹ Halstead and McLaughlin, ‘Education’, 149.

¹²³² Gutmann, *Democratic*, 287.

¹²³³ Gutmann, *Democratic*, 62.

¹²³⁴ Gutmann, *Democratic*, 111.

¹²³⁵ R.J. Nash, *Answering the “Virtuecrats”: A Moral Conversation on Character Education*, New York: Teachers College Press, 1997, 148.

¹²³⁶ These include hope, confidence, courage, self-respect, friendship, trust, honesty, decency, humility, faith, self-denial and charity (Nash, *Answering*, 163-166).

¹²³⁷ Nash, *Answering*, 163.

and charity, which he acknowledges have religious or distinctly Christian foundations, can only have ‘functional utility’ if they are “‘decoupled” from their religious roots and secularized’.¹²³⁸ It is necessary, therefore, for virtues to stand on their own perceived merit. Nash refuses, suggests Arthur, to acknowledge that ‘all education rests on assumptions and beliefs and that a plurality of positions, including character education, can co-exist’.¹²³⁹

At the same time it is important to recognise, as Gutmann and Nash do, that it will be possible to find many common values and virtues in democratic society, values which are informed by, and continue to shape, the cultural narrative. In light of this, Halstead and McLaughlin note the overlap that exists between ‘non-expansive’ and ‘expansive’ conceptions of character education, with the latter enriching and expanding the former.¹²⁴⁰ In advocating a communitarian approach to education, Arthur notes that a key issue for citizenship education in Britain is how it is balanced with personal, social and moral education.¹²⁴¹ For, at a philosophical level, the idea of any concept of citizenship being derived from a functional, rather than a foundational, basis is to undermine the necessity of having a reason for your position or a defence for the moral validity of that position. As demonstrated throughout, this has been a central critique of the current moral assumptions within SRE policy. Therefore, as Hunter concludes:

Of good intentions there is no end. The commitment to do well by our children is serious and unflagging. In the end, however, while we desperately want the flower of morality to bloom and multiply, we have, at the same time, pulled the plant up out from the soil that sustains it.¹²⁴²

Of course, as Arthur points out, while Hunter is not alone in his sociologically-shaped conclusions concerning the importance of cultural context in character formation and, as such, presents an important and valid argument, what he doesn’t offer is a solution to the problem: ‘Unfortunately, contemporary sociology of education provides few practical solutions for character educators’.¹²⁴³

Therefore, in presenting a constructive approach to SRE, informed by a theological virtue ethic, it is important to acknowledge the foundations upon which such an approach flourishes. For, while it may be regarded as a ‘sectarian’ position,¹²⁴⁴ it offers

¹²³⁸ Nash, *Answering*, 166.

¹²³⁹ Arthur, ‘Traditional’, 89.

¹²⁴⁰ Halstead and McLaughlin, ‘Education’, 154.

¹²⁴¹ Arthur, *Schools*, 75.

¹²⁴² Hunter, *Death*, 226.

¹²⁴³ Arthur, *Education*, 98.

¹²⁴⁴ Nash, *Answering*, 58.

the community context necessary to give meaning to a vision of human flourishing, one where the virtues might be understood and cultivated. Indeed, it may bring the necessary spiritual dimension that gives meaning and purpose to sexuality which, as discussed earlier, is currently missing from policy discourse.¹²⁴⁵

5.4 A Theological Pursuit of Common Virtue in Moral Education

In addressing the inadequacy of the subjective, relativistic nature of the cognitive, developmental approach to moral education, one possible approach is the adoption of a neo-naturalist understanding of virtue, an approach to virtue ethics in moral education, identified by Carr, where ‘virtues are natural human dispositions conducive to objectively determinable goals of human flourishing’.¹²⁴⁶ This suggests that there are common virtues across cultures and creeds which are objective, universal and, therefore, applicable to all, discernable through human reason and necessary to human flourishing. As Geach states, ‘men need virtues as bees need stings’.¹²⁴⁷ This may at least be viewed as one response to the relativist danger presented by MacIntyre’s social constructivist position,¹²⁴⁸ or an alternative virtue approach to the ‘non-foundational’ position, evidenced in accounts of civic virtue. Within theological discourse, such a position accords with a ‘natural law’ understanding of ethical theory.

Porter points to the resurgence of thinking on natural law theory among Catholic and Reformed ethicists alike, in response to modern moral discourse.¹²⁴⁹ In noting a previous reluctance among Christian ethicists and theologians to engage with this approach, she argues that if we ‘avoid talking about the moral significance of human nature, both theological ethics and the wider social discourse will be impoverished’.¹²⁵⁰ For my own discussion, it is of interest to note that in his account of the rediscovery of the natural law tradition in Reformed theological ethics, particularly since the 1990s, Stephen Grabill points out that it is viewed, in particular, as a resource for talking about

¹²⁴⁵ See 2.1.

¹²⁴⁶ Carr, ‘Virtue Ethics’, 467.

¹²⁴⁷ Geach, *Virtues*, 17.

¹²⁴⁸ Carr notes this aspect of MacIntyre’s position as a source of concern to many philosophers (Carr, ‘Character’, 111).

¹²⁴⁹ Porter, *Natural*, 27, 28. From the Protestant tradition, she points in particular to the work of James Gustafson (*Theology and Ethics*, Oxford: Basil Blackwell, 1981; *Ethics from a Theocentric Perspective, Volume Two: Ethics and Theology*) and Oliver O’Donovan in *Resurrection and Moral Order* (31-52) and *The Desire of the Nations* (19-20) (though she points out that O’Donovan makes clear he is not advocating a return to a “natural ethic” (Porter, *Natural*, 55)). In his appeal to moral norms in nature, Porter also highlights the criticisms that Gustafson’s theological position has generated (Porter, *Recovery*, 27).

¹²⁵⁰ Porter, *Natural*, 27.

moral issues in the public square.¹²⁵¹ This is echoed in David VanDrunen's exploration of the place of natural law in Reformed social thought, noting that 'the fledgling renaissance of natural law and two kingdoms thinking among some Reformed writers today may provide a fresh and coherent contribution to wider discussions about Christianity and culture'.¹²⁵² J. Daryl Charles argues strongly that, without an affirmation of natural law in the public square, our apologetic bridge is lost: 'We have consequently cut ourselves off at the knees in terms of developing a "public philosophy," at the heart of which lie natural law and "common grace"'.¹²⁵³

Nevertheless, it is important to heed Stephen Pope's challenge for contemporary moral discourse, that in deriving normative conclusions from the natural order, the notion of 'natural' changes.¹²⁵⁴ Indeed, as McGrath indicates, 'nature' is a culturally construed notion and, as a result, our Western Enlightenment tradition has mistakenly believed that rationality is 'independent of culture and history'.¹²⁵⁵ Therefore, in the philosophical process of deriving moral norms from nature, McGrath highlights the importance of understanding how nature is 'seen'. Accordingly, 'the Christian "sees" nature through a lens which is shaped by the fundamental themes of the Christian faith'.¹²⁵⁶ This lens is independent of nature itself and we should not presuppose a uniform approach towards, or outcome of, such theological reflection.¹²⁵⁷ When it comes to discerning God in nature within the Christian tradition, McGrath identifies three major approaches: 'human reason, the ordering of the world, and the beauty of the world'.¹²⁵⁸ Such discernment is fundamental, he argues, to a renewed understanding of goodness in nature.¹²⁵⁹

This understanding stands in contrast to the contemporary scientific and evolutionary understanding of human nature and behaviour, where nature is judged to be

¹²⁵¹ S.J. Grabill, *Rediscovering the Natural Law in Reformed Theological Ethics*, Grand Rapids: Eerdmans, 2006, 6. Grabill points to a list of scholars whom he evidences as engaging with the natural law tradition - Nigel Biggar, Rufus Black, Carl Braaten, J. Budziszewski (now Roman Catholic), Michael Cromartie, Jean Bethke Elshtain, Arthur F. Holmes, Paul Helm, Alister McGrath, Susan Schreiner, David VanDrunen, and Daniel Westberg (Grabill, *Rediscovering*, 6, 7).

¹²⁵² D. VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought*, Grand Rapids: Eerdmans, 2010, 12.

¹²⁵³ J.D. Charles, *Retrieving the Natural Law: A Return to Moral First Things*, Grand Rapids: Eerdmans, 2008, 22.

¹²⁵⁴ S. Pope, 'Reason and Natural Law', G. Meilaender and W. Werpehowski (eds.), *The Oxford Handbook of Theological Ethics*, Oxford: OUP, 2005, 148-167, 149.

¹²⁵⁵ A.E. McGrath, *The Open Secret: A New Vision for Natural Theology*, Oxford: Blackwell, 2008, 165.

¹²⁵⁶ McGrath, *Open*, 306.

¹²⁵⁷ Identifying a theory of nature independent from nature, suggests McGrath, is one of the main weaknesses of a 'natural law' understanding of morality (McGrath, *Open*, 293).

¹²⁵⁸ A.E. McGrath, *Christian Theology: An Introduction* (4th ed.), Oxford: Blackwell, 2007, 164.

¹²⁵⁹ McGrath, *Open*, 307.

‘purposeless and amoral’.¹²⁶⁰ This is not to say that the same moral norms and values, regarded as an intrinsic part of human nature and valuable to present-day culture, are not valued by representatives of both a theistic and naturalist worldview, merely that the ontological defence for their existence is fundamentally different. As Bryon Bangert observes: ‘A materialistic, deterministic view of nature and natural events, for example, is incompatible with nearly all theistic affirmations’.¹²⁶¹ As explored in Chapter 4, in contrast to natural law, ‘naturalism’ does not infer a morality that points to a transcendent reality but instead, as Pope points out, through the exercise of moral reasoning, humanly-constructed norms and values are established, applicable to a particular place and time.¹²⁶²

Therefore, in deriving moral conclusions on human nature through a theological lens, it is important to adopt an understanding of the relationship between God and his creation. This, for Gustafson, is the most important ‘base point’ in developing a theological ethic.¹²⁶³ In particular, this involves developing an understanding of the relationship between God and creation, as understood within a wider understanding of God’s grace at work in all aspects of the natural order. For, as David Nicholls suggests, while it may be important to distinguish grace from the natural realm of ideas, the cross-contamination is inevitable: ‘God’s Spirit is present in all authentic instances of the natural’.¹²⁶⁴ For Porter, our understanding of human virtue is related to our doctrine of creation:

if we take the doctrine of creation seriously - if we regard everything that exists, including ourselves, as creations of a good God - then it is problematic, at best, to claim that human virtue is altogether and without qualification false and evil.¹²⁶⁵

Thus, an important question arises, relevant to our own discussion: ‘what kind of value should we ascribe to humanly attainable virtues, and by extension, to the moral life generally considered?’¹²⁶⁶ This question raises at least two points which require greater exploration and clarity: How can human nature and the natural world be regarded as a source of moral knowledge, and how do we give a theological defence for human

¹²⁶⁰ Pope, ‘Reason’, 153. For further exploration of the impact of evolutionary thinking on Christian natural theology see A.E. McGrath, *Darwinism and the Divine: Evolutionary Thought and Natural Theology*, Oxford: Wiley-Blackwell, 2011.

¹²⁶¹ Pantheism, he suggests, is the possible exception (B.C. Bangert, *Consenting to God and Nature: Toward a Theocentric, Naturalistic, Theological Ethic*, Eugene: Pickwick Publications, 2006, 2).

¹²⁶² Pope, ‘Reason’, 154. See discussion on evolutionary naturalism in 4.3.

¹²⁶³ Gustafson, *Ethics*, 144.

¹²⁶⁴ D. Nicholls, ‘Grace’, P.B. Clarke and A. Linzey (eds.), *Dictionary of Ethics, Theology and Society*, London: Routledge, 1996, 410-414, 414.

¹²⁶⁵ Porter, ‘Virtue’, 212.

¹²⁶⁶ Porter, ‘Virtue’, 213.

reason having the capacity, not only to discern moral principles, but to do so in view of the corruption of human nature as a consequence of sin? These are important considerations if we are to give a theological defence for the pursuit of common virtue in moral education, in particular, SRE.

5.4.1 Discerning Moral Truth in Nature: An Epistemological Defence

As with the tradition of natural theology,¹²⁶⁷ a natural-law understanding of human nature and the moral life has a rich theoretical tradition which extends beyond the realm of theological discourse. It was evident, Pope highlights, in Graeco/Roman philosophical thinking, and incorporated into an account of Christian ethics from the early church and Patristic period onwards.¹²⁶⁸ Therefore, while strongly associated with theological ethics, in particular within a Catholic tradition, the language of natural law has also been associated with a long-established philosophical and political tradition. Charles Curran points to the fact that natural law ‘involves three distinct but overlapping considerations – the strictly theological, the philosophical and the legal’.¹²⁶⁹ In spite of the diversity of approaches, Pope suggest that ‘natural-law ethicists share a belief that there is such a thing as the human good, commensurate with human nature, however complex its manifestations and various its possible modes of fulfilment’.¹²⁷⁰

While recognising the rich tradition in which it has developed, observing natural theology and, in particular, natural-law theory through the lens of the Christian faith will narrow the frame in which this discussion is located. Pope identifies two central reasons why natural law is attractive to theological ethics: First, it affirms an objective, realist understanding of moral standards and, secondly, it affirms a morality that is universal in its scope.¹²⁷¹ In addition to these ethical claims, James Bretzke draws the distinction between the ontological and the epistemological premise of natural-law theory. While the ontological premise points to an objective moral order, the

¹²⁶⁷ Charles Taliaferro defines natural theology as the ‘practice of philosophically reflecting on the existence and nature of God independent of real or apparent divine revelation or scripture’ (C. Taliaferro, ‘The Project of Natural Theology’, W.L. Craig and J.P. Moreland (eds.), *The Blackwell Companion to Natural Theology*, Chichester: Willey-Blackwell, 2009, 1-23, 1). Taliaferro presents the arguments for and against a theistic natural theology as opposed to a the antitheist position of naturalism.

¹²⁶⁸ See his account of the origins and evolution of natural law thinking in S.J. Pope, ‘Natural Law and Christian Ethics’, R. Gill (ed.), *The Cambridge Companion to Christian Ethics*, Cambridge: CUP, 2012, 67-86.

¹²⁶⁹ C.E. Curran, ‘Natural Law’, P.B. Clarke and A. Linzey (eds.), *Dictionary of Ethics, Theology and Society*, London: Routledge, 1996, 594-597, 595.

¹²⁷⁰ Pope, ‘Natural’, 83.

¹²⁷¹ Pope, ‘Reason’, 149.

epistemological premise claims that this can be discerned with the application of ‘right reason’.¹²⁷² As such, the capacity for human reason itself, ‘the height of human nature’, has been said to evidence God in nature.¹²⁷³ In addition, within the order of creation, knowledge of God’s eternal law has been written on to human hearts by means of human conscience.¹²⁷⁴ The implications for a Catholic approach to character education, suggests Arthur, is that the ‘development of conscience’ becomes one of its central aims.¹²⁷⁵

This epistemological claim that the moral order can be discerned by human reason is based on what McGrath identifies as a main theme in a Christian approach to understanding the natural world: ‘The principle that humanity is created in the image of God, and thus endowed with some capacity to discern traces of God within or through nature’.¹²⁷⁶ As such, this understanding of the *imago Dei* has shaped both Catholic and Protestant approaches to natural theology.¹²⁷⁷ However, understood as an intuitionist approach to moral philosophy, it has received much criticism. For example, in critiquing Aquinas’ theory of natural law, O’Connor argues ‘we must have *some* set of axioms as our starting-point’.¹²⁷⁸ In addition, if these ‘natural inclinations’, discerned by reason, were able to provide moral precepts by which to live, it is unclear why we ought to pursue them.¹²⁷⁹ In tracing back the distinction between autonomous nature and grace to the ‘philosophic-theology’ of Aquinas, Frances Schaeffer argued that, as a result of this distinction, ‘nature began to ‘eat up’ grace’.¹²⁸⁰ In his defence, Porter argues that the distinction Aquinas made between nature and grace in understanding human virtue was due to his belief that both were directed towards different ends, ‘naturally attainable happiness, and the supreme happiness of personal union with God’.¹²⁸¹ Rather than

¹²⁷² J.T. Bretzke (S.J.), ‘Natural Law’, J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 542-544, 542.

¹²⁷³ McGrath, *Christian*, 164. This understanding of human reason, McGrath points out, is traced back to Augustine of Hippo and expounded in *De Trinitate* (“On the Trinity”).

¹²⁷⁴ This understanding is accorded to Thomas Aquinas (Bretzke, ‘Natural’, 542), and specific to his understanding of moral knowledge. Aquinas also noted that other truths about God, e.g. the truth that God is triune, were beyond the scope of human reason (T. Aquinas, ‘Faith and Reason in Harmony’, B. Davies (ed.), *Philosophy of Religion: A Guide and Anthology*, Oxford: OUP, 2000, 25-30).

¹²⁷⁵ Arthur, *Education*, 53.

¹²⁷⁶ McGrath, *Open*, 178. See McGrath, *Open*, 291-313 (‘Natural Theology and Goodness’) for an extension of his discussion on natural theology into the realm of moral knowledge and ‘natural law’.

¹²⁷⁷ See McGrath, *Open*, 190-198, for examples of how *imago Dei* has been interpreted within Christian tradition.

¹²⁷⁸ O’Connor, *Aquinas*, 66.

¹²⁷⁹ O’Connor, *Aquinas*, 72.

¹²⁸⁰ F.A. Schaeffer, *Escape from Reason*, London: IVP, 1968, 12, 13.

¹²⁸¹ Porter, ‘Virtue’, 217.

eating up grace, she asserts, Aquinas repeatedly asserted that ‘grace does not destroy nature, but rather perfects it’.¹²⁸²

In understanding natural-law theory through the paradigm of the Christian faith, and thus within the ‘economy of salvation’, McGrath points out that nature and the human observer must also be understood within the narrative of the fall and the redemptive process initiated by the Incarnation.¹²⁸³ As such, if our understanding of virtue is related to the doctrine of creation, then in viewing virtue through the lens of the Christian faith, it must also be reconciled with the doctrine of sin and the doctrine of salvation. Gustafson is also clear that the doctrine of sin cannot be overlooked. In his discussion on the appropriate understanding of God’s relation to man and the world, in particular the aspects of what he calls the ‘human fault’, Gustafson points out that the distortion and corruption that resulted extends beyond the moral: ‘The human fault keeps us from proper understanding of our proper relations by construing our trusts and loyalties, our loves and desires, our rational construing of the world, and our moral interests’.¹²⁸⁴ Nevertheless, while holding to an understanding of the depravity of human nature as a consequence of sin, it is acknowledged within natural law theory that human reason was not totally destroyed in the fall.¹²⁸⁵

Nevertheless, it is due to a ‘radically different understanding of grace’, Grabill notes, that Karl Barth, in his infamous rejection of natural theology and the natural law tradition, described as a ‘subtext’ to mainstream Protestant criticism of the tradition,¹²⁸⁶ took the position that Protestant and Catholic ethics stood in conflict with one another. As such, critics of natural theology have, in particular, questioned the reliability of human reason, having been corrupted by sin, in discerning moral truth. Barth pointed, not only to human reason as an unreliable source of moral knowledge,¹²⁸⁷ but to the ontological supposition that our knowledge of God’s creation and of the Creator can

¹²⁸² Porter, ‘Virtue’, 217.

¹²⁸³ McGrath, *Open*, 198.

¹²⁸⁴ Gustafson, *Theology*, 306.

¹²⁸⁵ Bretzke, ‘Natural’, 542.

¹²⁸⁶ Grabill, *Rediscovering*, 22.

¹²⁸⁷ As Porter points out, his critique should be understood as a wider critique of moral philosophy (Porter, *Natural*, 169). See Barth’s discussion on ‘Theological and Philosophical Ethics’ in K. Barth, *Ethics*, D. Braun (ed.), G.W. Bromiley (tr.), Edinburgh: T.&T. Clarke, 1928, 19-45). Barth presents, for example, his misgiving of setting reason against revelation: ‘The enterprise of theological ethics is not one with which to trifle. It must be taken up properly - and this can mean only on the assumption that the command of the grace of God is its sole content - or it is better left alone’ (K. Barth, *Church Dogmatics, Volume II, The Doctrine of God, Part 2*, G.W. Bromiley and T.F. Torrance (eds.), G.W. Bromiley, J.C. Campbell, H. Knight, J. Strathearn McNab, R.A. Stewart and I. Wilson (trs.), Peabody: Hendrickson Publishers, 1957, 533).

only be known through a Christological lens, as evidenced in Scripture.¹²⁸⁸ McGrath notes: ‘Barth’s hostility towards natural theology thus rests on his fundamental belief that it undermines the necessity and uniqueness of God’s self-revelation’.¹²⁸⁹ For this reason, Hauerwas points out that Barth didn’t offer an explanatory Christian account of God and His creation, for he ‘sought nothing other than to be a witness to God’s reconciling and redeeming work in Jesus Christ’.¹²⁹⁰

In his well-known response to Barth’s rejection of natural theology, Emil Brunner emphasised the distinction between Roman Catholic and Reformed thinking, suggesting that while the former makes no distinction between the objective and subjective concept of nature, maintaining the preservation of the *imago Dei* in a ‘unrefracted *theologia naturalis*’,¹²⁹¹ the latter cannot view nature ‘unless Christ be taken into account’.¹²⁹² Barth critiques Brunner’s assertion that, within Catholic doctrine, nature can stand as a moral order independent of grace.¹²⁹³ Nevertheless, Brunner believed a ‘point of contact’ (Anknüpfungspunkt) between divine revelation and human nature offered a renewed vision of natural theology, a vision which was out-rightly rejected by Barth.¹²⁹⁴ In addition, where Brunner points to evidence of God’s ‘preserving grace’ within fallen creation, present, for example, in the function of the State,¹²⁹⁵ Barth rejects any notion of ‘grace of creation or preservation’.¹²⁹⁶ Yet Thielicke notes that Barth did acknowledge the necessary functioning of some form of natural law in civil society, and concurs that as such, it deserves some level of respect: ‘For in the secular sphere what can we put in place of natural law?’¹²⁹⁷

However, when it comes to discerning moral truth, objections to the natural law tradition continue to be raised, not least in its apparent stand over against the role and

¹²⁸⁸ Porter, *Natural*, 169. As Barth states: ‘For the question of good and evil has been decided and settled once and for all in the decree of God, by the cross and the resurrection of Jesus Christ’ (Barth, *Church*, 536).

¹²⁸⁹ McGrath, *Christian*, 166.

¹²⁹⁰ S. Hauerwas, *With the Grain of the Universe: The Church’s Witness and Natural Theology*, London: SCM, 2002, 146.

¹²⁹¹ E. Brunner, ‘Nature and Grace’, *Natural Theology: Comprising “Nature and Grace” by Professor Dr. Emil Brunner and the Reply “No!” by Dr. Karl Barth*, Peter Fraenkel (tr.), London: Geoffrey Bles: The Centenary Press, 1946, 15-64, 47, 48.

¹²⁹² Brunner, ‘Nature’, 46.

¹²⁹³ Barth, ‘No!’, 96.

¹²⁹⁴ McGrath, *Open*, 159.

¹²⁹⁵ Brunner, ‘Nature’, 28.

¹²⁹⁶ K. Barth, ‘No!’, *Natural Theology: Comprising “Nature and Grace” by Professor Dr. Emil Brunner and the Reply “No!” by Dr. Karl Barth*, Peter Fraenkel (tr.), London: Geoffrey Bles: The Centenary Press, 1946, 67-128, 74.

¹²⁹⁷ H. Thielicke, *Theological Ethics. Volume 1: Foundations*, W.H. Lazareth (ed.), Grand Rapids: Eerdmans, 1979, 431. He makes reference to Barth’s *Community, State, and Church: Three Essays*.

authority of Scripture. For example, Burnside argues that drawing a distinction between ‘divine law’ and ‘natural law’ creates an ‘epistemological problem’ by creating two distinct sources of moral knowledge, namely Scripture and nature.¹²⁹⁸ However, while natural-law theory may be seen to dissuade from the place of Scriptural authority within a theological ethic, Porter argues for a more interconnected understanding, highlighting the practice within the medieval scholastic tradition of natural law which treated nature, reason and Scripture as ‘three mutually interpreting sources of moral norms’.¹²⁹⁹ Also, in adopting an incarnational approach to natural theology, McGrath notes how God uses nature to reveal himself to humanity: ‘Revelation takes place in and through nature and history, not beyond them’.¹³⁰⁰ Highlighting the natural theology expounded by Calvin, McGrath points to the Reformed belief in the full revelation of God mediated through Christ, which can only be known through Scripture, with nature ‘clarifying, confirming, and extending what may be known through the former’.¹³⁰¹

Of course, over questions of how divine revelation informs a theological ethic, the role and place of Scripture as an authoritative source remains central. As Hauerwas states: ‘We do not seek a philosophical truth separate from the book’s text’.¹³⁰² Indeed, an understanding of natural law is defended on the basis of Scripture. Susan E. Schreiner notes that Calvin, like his predecessors, ‘assumed the existence of natural law from Romans 2:14-15’,¹³⁰³ in addition to it being evidenced in the Decalogue.¹³⁰⁴ However, it is also understood that Scripture does not stand alone, but is complemented by nature and reason in mediating knowledge of God. For example, Grabill points out that, for Calvin, ‘his doctrine of the natural knowledge of God is founded on two principal sources: creation and the natural means by which God is known in Scripture’.¹³⁰⁵

¹²⁹⁸ Burnside, *God*, 94, 95. In exploring a Biblical defence for natural law and seeking to understand the development of natural law within a Western philosophical tradition, Burnside cautions against simplifying what is in fact a ‘broad tradition which can refer to a multiplicity of theses’ (92).

¹²⁹⁹ Porter, *Natural*, 121.

¹³⁰⁰ McGrath, *Open*, 174. See McGrath, *Christian*, 153-172, for a further discussion on a natural and revealed knowledge of God.

¹³⁰¹ McGrath, *Christian*, 163.

¹³⁰² Hauerwas, *Peaceable*, 70.

¹³⁰³ S.E. Schreiner, ‘Calvin’s Use of Natural Law’, Michael Cromartie (ed.), *A Preserving Grace: Protestants, Catholics, and Natural Law*, Grand Rapids: Eerdmans, 1997 51-76, 55. See J. Calvin, *The Library of Christian Classics (Volume XX: Books I.i to III.xix)*, Calvin: *Institutes of the Christian Religion*, J.T. McNeill (ed.), Ford Lewis Battles (tr.), Philadelphia: The Westminster Press, 1960; J. Calvin, *The Library of Christian Classics (Volume XXI: Books III.XX to IV.XX)*, Calvin: *Institutes of the Christian Religion*, J.T. McNeill (ed.), Ford Lewis Battles (tr.), Philadelphia: The Westminster Press, 1960.

¹³⁰⁴ Schreiner, ‘Calvin’s’, 57 (Ref. to Calvin, *Institutes*, Volume XX, 2:8:1, 367; Calvin, *Institutes*, Volume XXI, 4:20:16, 1504).

¹³⁰⁵ Grabill, *Rediscovering*, 70.

In addition, it is suggested that moral conclusions are not so neatly derived from the Scriptural text. For example, in a comparative discussion of his ‘theocentric ethic’ positioned alongside Barth’s ethical claims, Gustafson suggests that Barth’s doctrine of Scripture assumes a coherency of the divine command that is not always self-evident: ‘I find Barth’s singular Christological interpretation too simple and neat. The theology of the Bible backs and warrants more diversity in ethics than Barth permits’.¹³⁰⁶ In a stark conclusion on the place of Scripture in the wider discussion on revelation and inspiration, Stephen Davis suggests that ‘the notion sometimes heard in Protestant circles that the ‘Bible alone’ is sufficient to accomplish God’s revelatory and salvific aims are quite mistaken’.¹³⁰⁷

5.4.2 A ‘Common Grace’ Understanding of Common Virtue

Despite its critique, it should not be presumed that the Reformed tradition has been united in their rejection of the notion that God and His divine precepts can be discerned through the natural order, or that sin has corrupted all aspects of nature and reason. Indeed, Schreiner deems it ironic that natural law theory has derived so much critical attention, in view of the fact that it was uncontroversial in Calvin’s day.¹³⁰⁸ As part of the theological endeavour to understand God’s relationship with His creation, in particular within cultural and political life, the doctrine of common grace has been articulated within Reformed theological discourse as a means of interpreting the ability of human reason to discern moral norms in the natural order. In particular, Abraham Kuyper is acclaimed for developing and expanding this Reformed doctrine into thinking on engagement in public life.¹³⁰⁹

¹³⁰⁶ Gustafson, *Ethics*, 35. For Gustafson’s views on the self-professed significance and limitations of Scripture in Christian ethics, see J. Gustafson ‘The Place of Scripture in Christian Ethics: A Methodological Study’, *Interpretation* 24, October 1970, 430-455. For a discussion on ‘Authority and Scripture’ in Christian Ethics, see Gushee and Stassen, *Kingdom*, 81-98.

¹³⁰⁷ S.T. Davis, ‘Revelation and Inspiration’, T.P. Flint and M.C. Rea (eds.), *The Oxford Handbook of Philosophical Theology*, Oxford: OUP, 2009, 30-53, 39. For example, he points to the method and tradition of interpretation that is applied to the text (39).

For a further account of the methodological issues associated with using Scripture in ethics see B.C. Birch, ‘Scripture in Ethics: Methodological Issues’, J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 27-34.

¹³⁰⁸ Schreiner, ‘Calvin’s’, 55.

¹³⁰⁹ See A. Kuyper, ‘Common Grace’, J.D. Bratt (ed.), *Abraham Kuyper: A Centennial Reader*, Cumbria: Paternoster, 1998, 165-201. It is beyond the remit of this thesis to offer a detailed exploration of the work and influence of Kuyper’s political theology or to critique his outworking of Calvinist and Reformed thinking. (For a bibliography of Kuyper’s works see T. Kuipers, *Abraham Kuyper: An Annotated Bibliography 1857-2010*, Leiden: Brill, 2011.) The purpose in highlighting his work is to engage with the concept of common grace and its possibilities in presenting a theological defence for the pursuit and outworking of common virtue in public life, in particular, moral education. It should also be noted that there are other theologians who have historically engaged with the concept of common grace, e.g. Herman Bavinck (See J. Veenhof, ‘Revelation and Grace in Herman Bavinck’, J. Bowlin (ed.), *The*

Kuyper appealed to Calvinist thinking in the development of his so-called ‘theology of culture’.¹³¹⁰ Peter Heslam notes that he used the term ‘neo-Calvinist’ to indicate that he was bringing Calvinist thinking up-to-date.¹³¹¹ In particular, in initiating the ‘neo-Calvinist’ movement, Mouw highlights how he drew on, and developed, the diverging strands of Calvinist thinking into a public theology.¹³¹² Heslam suggests, that in explicating the doctrine of common grace, he was ‘making explicit an element that was implicit in Calvin’s thought’.¹³¹³ Further, Herman Kuiper affirms that the notion of common grace is evident in Reformed thinking and within Calvin’s writings: ‘He attributes to all men a certain love of truth, a certain knowledge of the principles which underlie civil order, and a disposition to cherish and preserve society’.¹³¹⁴ However, others, like VanDrunen, suggest that Kuyper stands ‘ambiguously’ in the Reformed tradition of social thought,¹³¹⁵ nevertheless conceding that the influence of Kuyper on Reformed social thinking is undisputed: ‘Abraham Kuyper’s theological vision of cultural and political life is arguably the most thorough and complex ever constructed in the history of Reformed Christianity’.¹³¹⁶

In exploring Kuyper’s doctrine, Vincent Bacote points to three definitive aspects:

Kuyper Center Review. Volume Two: Revelation and Common Grace, Grand Rapids: Eerdmans, 2011, 3-13).

¹³¹⁰ C. van der Kooi, ‘A Theology of Culture. A Critical Appraisal of Kuyper’s Doctrine of Common Grace’, C. van der Kooi and J. de Bruijn (eds.), *Kuyper Reconsidered: Aspects of His Life and Work*, Amsterdam: VU Uitgeverij, 1999, 95-101.

In 1898, Kuyper delivered his acclaimed *Lectures on Calvinism* at Princeton Theological Seminary, ‘regarded as a manifesto of Kuyperian Calvinism’ (P.S. Heslam, *Creating a Christian Worldview: Abraham Kuyper’s Lectures on Calvinism*, Grand Rapids: Eerdmans, 1998, 11). See, also, A.L. Molendijk, ‘Neo-Calvinist Culture Protestantism: Abraham Kuyper’s Stone Lectures’, *Church History and Religious Culture*, Vol. 88, No.2, 235-250.

¹³¹¹ Heslam, *Creating*, 87, 88.

¹³¹² R.J. Mouw, ‘Calvin’s Legacy for Public Theology’, *Political Theology*, Vol.10, No. 3, 2009, 431-446, 439. Mouw notes the term ‘neo-Calvinist’ indicated a departure from Calvin’s position on the relationship between church and state and a development in the stands of his thinking on civil society.

¹³¹³ Heslam, *Creating*, 140.

¹³¹⁴ H. Kuiper, *Calvin on Common Grace*, Goes: Oosterbaan & Le Cointre, 1928, 16.

¹³¹⁵ VanDrunen, *Natural*, 278.

¹³¹⁶ VanDrunen, *Natural*, 314. VanDrunen points to those who have since developed Kuyper’s legacy, including his understanding of common grace, for example, Cornelius Van Til (*Common Grace and the Gospel*, Nutley: Presbyterian and Reformed Publishing, 1977). Van Til offers a useful overview of the scholars who engaged in the on-going debate about common grace (see Chapter 3, Van Til, ‘Common Grace in Debate’, 23-95). VanDrunen notes that Van Til himself ‘very significantly’ diverged from Kuyper in stating that ‘common grace is not an end in itself, but *only* a means for preparing a field for the operation of special grace’ (VanDrunen, *Natural*, 397).

Outside of the Netherlands, Kuyper’s thinking is noted to have shaped, in particular, American Public Theology. See, for example, J. Bolt, *A Free Church, A Holy Nation: Abraham Kuyper’s American Public Theology*, Grand Rapids: Eerdmans, 2001, and J. Budziszewski, *Evangelicals in the Public Square*, Grand Rapids: Baker Academic, 2006. A ‘Kuyperian’ vision is also evidenced in intellectual thinking worldwide, including notable expressions in Britain – see, for example, those noted by Heslam, *Creating*, 6-8.

(1) God is merciful and beneficent toward all humanity in the provision of life and various blessings; (2) all humans have a capacity for morality that manifest itself in actions of justice and virtue; and (3) because humans have the ability to reason and understand, the study of nature and history, persons and societies is possible and useful to believers and nonbelievers alike.¹³¹⁷

For Kuyper, nature and grace were inseparable: ‘You cannot see grace in all its riches if you do not perceive how its tiny roots and fibres everywhere penetrate into the joints and cracks of the life of nature’.¹³¹⁸ Kuyper distinguished this ‘life of nature’ as separate from the task of salvation.¹³¹⁹ He adopted, according to James Bratt, a constructivist theological approach, where ‘common grace was thus a theology of public responsibility, of Christians’ shared humanity with the rest of the world’.¹³²⁰ As such, Kuyper believed that the divine image is reflected, not only in the individual, but in humanity as a whole, with our social nature creating the capacity for human development.¹³²¹ Therefore, common grace is at work in all spheres of society:

every view that would confine God’s work to the small sector we might label “church life” must be set aside. There is beside the great work of God in *special* grace also that totally other work of God in the realm of *common* grace.¹³²²

In making a distinction between special and common grace, Bacote notes the voices of concern,¹³²³ the majority of which are in some way Christological.¹³²⁴ However, in its defence, Bacote points out that Kuyper’s doctrine makes the link between nature and grace by maintaining the status of Christ as Creator *and* Re-Creator.¹³²⁵ VanDrunen

¹³¹⁷ V.E. Bacote, *The Spirit in Public Theology: Appropriating the Legacy of Abraham Kuyper*, Grand Rapids: Baker Academic, 2005, 92. Bacote provides a helpful list of books and articles that address Kuyper’s doctrine (Bacote, *Spirit*, 91).

¹³¹⁸ Kuyper, ‘Common’, 197 (Extract from Vol. II, No 36, “A City on a Hill”, 271-75, of Kuyper’s three volume *De Gemeene Gratie*, Amsterdam: Höveker & Wormster, published in 1902, 1903, 1904).

¹³¹⁹ Bacote, *Spirit*, 104.

¹³²⁰ Bratt, J.D. (ed.), ‘Common Grace’, *Abraham Kuyper: A Centennial Reader*, Cumbria: The Paternoster Press, 1998, 165-201, 165.

¹³²¹ Kuyper, ‘Common’, 178: ‘The social side of man’s creation in God’s image has nothing to do with salvation nor in any way with each person’s state before God. This social element tells us only that in creating human beings in his likeness God deposited an infinite number of nuclei for high human development in our nature and that these nuclei cannot develop except *through the social bond between people*’ (Extract from *Gemeene*, Vol. II, ch. 83: “The display of the image of God, 623-27).

¹³²² Kuyper, ‘Common’, 176 (Extract from *Gemeene*, Vol. II, ch. 82; “The End of the Age”, 618-19).

Kuyper expounds on his thinking on sphere sovereignty in his third of six lectures on Calvinism entitled ‘Calvinism and Politics’ (A. Kuyper, *Lectures on Calvinism*, Grand Rapids: Eerdmans, 1931).

A detailed exploration of Kuyper’s political theory is beyond the remit of this thesis; see, for example, G. Graham, ‘Kuyper, Neo-Calvinism, and Contemporary Political Philosophy’, G. Graham (ed.), *The Kuyper Center Review. Volume One: Politics, Religion and Sphere Sovereignty*, Grand Rapids: Eerdmans, 2010, 50-60, for a discussion on what Kuyper’s neo-Calvinist political vision might contribute to contemporary political philosophy.

¹³²³ Bacote, *Spirit*, 108.

¹³²⁴ Bacote, *Spirit*, 112. See, also, C.J., Kaltwasser, ‘Assessing the Christological Foundation of Kuyper’s Doctrine of Common Grace’, J. Bowlin (ed.), *The Kuyper Center Review. Volume Two: Revelation and Common Grace*, Grand Rapids: Eerdmans, 2011, 200-220, in which it is argued that Kuyper ‘unwittingly relegates Jesus Christ to a second-order truth about God’ (200).

¹³²⁵ Kuyper, ‘Common’, 173.

points to the development of neo-Calvinist thinking in this direction, where creation is not so much being ‘*preserved* as it is’ but ‘God’s redeeming the creation order and moving it toward its eschatological goal of a new heavens and a new earth’.¹³²⁶ In addition, a narrow Christological view, Bacote notes, overlooks the role of the Holy Spirit in common grace.¹³²⁷ As Mouw suggests, ‘we need the Spirit’s guidance in our hearts and minds as we seek to identify traces of the Spirit’s work in the larger creation’.¹³²⁸

The following questions thus arise for my own discussion: Can a ‘common grace’ understanding of public morality accord, in particular, with the development of a constructive virtue ethic approach within moral education and SRE discourse? In taking account of the natural-law Reformed tradition, in both social thinking and theological ethics, can human and civic virtue be understood as God’s grace at work within the created order? In particular, can a theological understanding of virtue be developed within the life of the moral agent, apart from union with Christ?¹³²⁹

In noting Kuyper’s legacy for Christian ethics, Gene Haas suggests that his neo-Calvinist position provides a valuable resource for interacting with a virtue ethic; the framework it provides for ethics means that it can ‘recognize and incorporate the important emphases found in virtue ethics at the same time that it exposes the problems and relativistic tendencies in this approach to ethics’.¹³³⁰ Concerning the life of virtue, Bratt notes the distinction Kuyper makes in the ‘operations’ of common grace – one aimed at the interior and one at the exterior part of our existence.¹³³¹ Concerning the interior, Kuyper suggests that this is operative ‘wherever civic virtue, a sense of

¹³²⁶ VanDrunen, *Natural*, 4.

¹³²⁷ Bacote, *Spirit*, 112.

¹³²⁸ Mouw, *Shines*, 28.

¹³²⁹ In noting the theo-ethical focus of this discussion, I am not explicitly concerned with critiquing Kuyper’s political philosophy or vision of education. Envisioned in Kuyper’s concept of ‘sphere sovereignty’, he argued that the sphere of education, apart from the setting of general standards, should be enabled to flourish independent of state control (Heslam, *Creating*, 39, 40). Michael J. DeMoor points to the ‘mechanical/organic distinction’ reflected in Kuyper’s thinking on the role of the state and the role of civil society (M.J. DeMoor, ‘Kuyper, Sphere Sovereignty, and the Possibility of Political Friendship’, G. Graham (ed.), *The Kuyper Center Review. Volume One: Politics, Religion and Sphere Sovereignty*, Grand Rapids: Eerdmans, 2010, 61-82, 70). Yet, this does not deny the place of political friendship, for DeMoor notes that an understanding of common grace enables agreement and affirmation of common goods within the political community (76). Bolt suggests that Kuyper was arguing for a public square that was ‘neither theocratic nor radically secularist (liberal)’ (343), operating between the poles of ‘antithesis and common grace’ (393).

¹³³⁰ G. Haas, ‘Kuyper’s Legacy for Christian Ethics’, *Calvin Theological Journal*, Vol. 33, 1998, 320-349, 349.

¹³³¹ Bratt, ‘Common’, 181 (Extract from *Common Grace*, vol.1, ch. 61: “The Final Decision”, 447-48, 451-52).

domesticity, natural love, the practice of human virtue, the improvement of the public conscience, integrity, mutual loyalty among people, and a feeling for piety leaven life'.¹³³² As such, Mouw points to the larger work of the Holy Spirit, evidenced in Kuyper's doctrine, in supplementing the salvific plans of God.¹³³³

Therefore, in understanding the place of virtue and 'common grace' within the Reformed tradition, it is helpful to note the distinction from a traditional Catholic ethic. In reconciling an account of the virtues and God's grace within a natural law tradition, Aquinas made the distinction between those virtues that are acquired and discerned by reason in pursuit of the human good and those that are infused, given by God for union with Him and therefore necessary for salvation.¹³³⁴ This was a shift from Patristic accounts of virtue, where 'pagan' virtues amount to pride and self-love because they weren't informed by and directed towards God.¹³³⁵ Calvin held to the Augustinian view that the 'natural gifts', including reason, had been corrupted by sin and, as such, Mouw notes that Calvin's theology was highly critical of the unregenerate mind.¹³³⁶ Yet at the same time Calvin believed that the unredeemed were not entirely devoid of the ability to discern moral knowledge.¹³³⁷ As such, Grabill suggests Calvin's '*epistemological* modifications to the realist theory of natural law', in particular, attributing greater priority to the 'the post-lapsarian conscience than to the pre-lapsarian reason'.¹³³⁸ In a similar vein, Paul Sigmund suggests that Kuyperianism can still be distinguished from Catholic social thinking on natural law by the greater emphasis it places on the distorting impact of sin on human reason.¹³³⁹

In responding to this perceived disjuncture in Calvin's theology, Barth claimed that Calvin believed only in the 'hypothetical possibility' of a natural knowledge of God, rather than suggesting that it could ever be a reality: 'One might call it an objective

¹³³² Bratt, 'Common', 181 (Extract from Common Grace, vol. I, ch. 61: "The Final Decision", 447-48, 451-52).

¹³³³ Mouw, *Shines*, 43, 44.

¹³³⁴ Porter, 'Virtue Ethics', 93, 94.

¹³³⁵ Explored, in particular, by Augustine in his reflections on true virtue (Porter, 'Virtue Ethics', 91; Herdt, *Putting*, 45-48).

¹³³⁶ Mouw, 'Calvin's', 435; Mouw, *Shines*, 17.

¹³³⁷ Calvin, *Institutes*, Volume XX, 2:2:12, 270.

¹³³⁸ Grabill, *Rediscovering*, 90.

¹³³⁹ P.E. Sigmund, 'Subsidiarity, Solidarity, and Liberation: Alternative Approaches in Catholic Social Thought', Luis E. Lugo (ed.), *Religion, Pluralism and Public Life: Abraham Kuyper's Legacy for the Twenty-First Century*, Grand Rapids: Eerdmans, 2000, 205-220, 219. See also G. van den Brink, 'Was Kuyper a Reformed Epistemologist?', C. van der Kooi and J. de Bruijn (eds.), *Kuyper Reconsidered: Aspects of His Life and Work*, Amsterdam: VU Uitgeverij, 1999, 158-165.

possibility, created by God, but not a subjective possibility, open to man'.¹³⁴⁰ Schreiner, however, points to the important distinction that Calvin made between the spiritual and the natural realm where the law of nature accords with Calvin's second table of the law.¹³⁴¹ Regarding the spiritual realm, she notes, 'Calvin was perfectly clear and consistent; his condemnation of our natural gifts as directed to God was unrelenting'.¹³⁴² The knowledge of the natural law though the functioning of the conscience was to 'render man inexcusable'.¹³⁴³ However, she notes that this distinction moves beyond an individual's standing before God to their function in the world, moving from the 'sphere of theological anthropology and epistemology to the sphere of providence'.¹³⁴⁴

Therefore, in noting the significance of Calvinist thinking for public theology, Bacote points, in particular, to Calvin's understanding of the work of God's grace to restrain sin, which includes the capacity of the individual to act morally:¹³⁴⁵

In every age there have been persons who, guided by nature, have striven toward virtue throughout life. I have nothing to say against them even if many lapses can be noted in their moral conduct. For they have by the very zeal of their honesty given proof that there was some purity in their nature. These examples, accordingly, seem to warn us against adjudging man's nature wholly corrupted, because some men have by its prompting not only excelled in remarkable deeds, but conducted themselves most honorably throughout life. But here it ought to occur to us to us that amid this corruption of nature there is some place for God's grace; not such grace as to cleanse it, but to restrain it inwardly.¹³⁴⁶

Thus, Calvin's account of human nature evidences an understanding of the operation of common grace, an understanding of virtuous behaviour for the bridling of sin and the preservation of society. As Kuiper observes, such are the 'divine gifts which are granted with a view to the preservation of society and that God rewards the unregenerate who cultivate virtue with many temporal blessings'.¹³⁴⁷ In addition, Grabill notes that, according to Calvin's explication of the natural knowledge of God:

the human conscience continues to provide moral knowledge of moral precepts; the created order continues to reflect God's wisdom, goodness, and power; and God continues to nourish civic virtues among the unregenerate.¹³⁴⁸

¹³⁴⁰ Barth, 'No!', 106.

¹³⁴¹ Schreiner, 'Calvin's', 60 (Ref. to Calvin, *Institutes, Volume XX*, 2:2:24, 283, 284; Calvin, *Institutes, Volume XX*, 2:8:11, 376, 377). In accordance with Calvin's divine command theory of ethics, W.C. Reuschling notes that 'the first table includes the commands to worship God alone, while the second table contains the commands by which humans are to treat others' (W.C. Reuschling, 'Divine Command Theories of Ethics', J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 242-246, 243).

¹³⁴² Schreiner, 'Calvin's', 60.

¹³⁴³ Schreiner, 'Calvin's', 59 (Ref. to Calvin, *Institutes, Volume XX*, 2:2:22, 282).

¹³⁴⁴ Schreiner, 'Calvin's', 61.

¹³⁴⁵ Bacote, *Spirit*, 95.

¹³⁴⁶ Calvin, *Institutes, Volume XX*, 2:3:3, 292.

¹³⁴⁷ Kuiper, *Calvin*, 39.

¹³⁴⁸ Grabill, *Rediscovering*, 96.

Nevertheless, David Little suggests that the ‘deep ambivalence’ in Calvin’s accounts of nature, human reason and will has had a significant impact on the legacy of Calvin’s teaching.¹³⁴⁹ Yet, notwithstanding questions over God’s preserving grace in nature, it is important to note that Calvin had an expressed view of ‘true virtue’, obtained through union with Christ and the process of sanctification.¹³⁵⁰ As such, in recognising Kuyper’s common grace understanding of faith outworked in the public square, Max Stackhouse highlights the important distinction being made between common grace and salvific grace: ‘This grace does not bring salvation, but it invites the recognition of validity and excellence from many sources, and the relative capacity of all, including the “little people” and unbelievers, to contribute to the general welfare’.¹³⁵¹ As such, Christ’s redemption was not just about the salvation of individuals but the redemption of the whole of creation, and Kuyper’s common grace doctrine, points out Mouw, developed the notion that the ‘natural man’ can serve ‘God’s cultural goals’.¹³⁵²

In acknowledging that a theological understanding of common grace comes with a certain theological ‘messiness’,¹³⁵³ Mouw proposes that it yet provides a means by which the Christian community can contribute to the well-being and flourishing of the community: ‘If God’s deep love for humanity persists even despite the effects of sin, then the theology of common grace is an important resource for our efforts as Christians to respect and reflect that love’.¹³⁵⁴ This involves, he suggests, finding those places of commonality and consensus.¹³⁵⁵

Therefore, in seeking to develop a constructive approach to moral education, in particular, SRE, I support Herdt’s case in arguing against the false dichotomy between nature and grace, and presenting a more holistic model of the moral life:

We can affirm the radical dependence of all human agency on divine sustenance while also insisting that the quality of that dependence is transformed when acknowledged and embraced. We can affirm the redemptive activity of the Word at work throughout created-but-fallen nature while also insisting that the quality of that redemptive activity

¹³⁴⁹ D. Little, ‘Calvin and Natural Rights’, *Political Theology*, Vol. 10, No. 3, 2009, 411-430, 428.

¹³⁵⁰ Calvin, *Institutes*, Volume XX, 3:14:3, 770,771.

¹³⁵¹ M.L. Stackhouse, *Theology in the Public Square: Kuyper’s Contributions Highlighted in New PTS Center*, Winter/Spring 2006, 2, (http://www.ptsem.edu/uploadedFiles/Seminary_Relations/Communications_and_Publications/Publications/inSpire/2006_Winter_Spring/feature5.pdf; accessed 30.03.14).

¹³⁵² Mouw, ‘Calvin’s’, 441.

¹³⁵³ Mouw, *Shines*, 87.

¹³⁵⁴ Mouw, *Shines*, 101.

¹³⁵⁵ Mouw, *Shines*, 99.

is transformed when the Word is known as Jesus Christ and His Spirit is known in the church.¹³⁵⁶

In addition, I affirm the intrinsic good of social relationships in understanding human *telos* and flourishing. This is re-iterated in Kotva's understanding of the human good in terms of 'intrinsically worthwhile relationships', and the virtues that correspond with this.¹³⁵⁷ In responding to the objection that a virtue ethic is overtly narcissistic, Kotva points to the implicit virtue assumptions that are made in act-centred theories, in that some level of self-reflection is necessary in order to ascertain the virtues that are required to achieve the end that is directed towards God and others.¹³⁵⁸ Indeed, as he points out, many of the Christian virtues are intrinsically other-regarding.¹³⁵⁹ In addition, a virtue ethic gives particular attention to the specific context which has given shape to our embodied selves, a central component of any account of the moral agent and their actions.¹³⁶⁰

5.5 Naming the Virtues: The Moral Content of SRE

When it comes to defining what a virtue is or is not, von Wright notes that disputes often concern a conceptual understanding of a virtue; for example, whether they are traits of character, concerned with mastering passions etc., or, indeed, additional to these conceptual questions, whether they are useful or not, 'needed for protecting our welfare'.¹³⁶¹ For example, Hauerwas points to Plato's account of virtue in the *Republic* as addressing the need for virtues to correspond with a political vision of human flourishing and the functioning of good society, naming the virtues of courage, temperance, wisdom and justice as central.¹³⁶² In addition, he notes that, despite echoing Plato's political account of the virtues, Aristotle did not provide an account of key virtues, instead emphasising the importance of acquiring certain habits and achieving a mean between various extremes.¹³⁶³ In addition, Hauerwas highlights a lack of any articulated virtues in the early church, suggesting that 'Christians, especially in the early centuries, made no attempt to establish any one list of the virtues or to show why certain virtues were more fundamental or grounded in nature'.¹³⁶⁴

¹³⁵⁶ Herdt, *Putting*, 97.

¹³⁵⁷ Kotva, *Christian*, 22.

¹³⁵⁸ Kotva, *Christian*, 145.

¹³⁵⁹ Kotva, *Christian*, 152.

¹³⁶⁰ Kotva, *Christian*, 146.

¹³⁶¹ von Wright, *Varieties*, 152.

¹³⁶² Hauerwas, *Community*, 121.

¹³⁶³ Hauerwas, *Community*, 122; Hauerwas and Pinches, *Christians*, 20.

¹³⁶⁴ Hauerwas, *Community*, 122.

As already acknowledged, it was the work of Aquinas that presented a significant theological contribution to any discussion on virtue.¹³⁶⁵ While his contribution to virtue discourse was indebted to the conceptual frame provided, in particular by an Aristotelian virtue ethic, it inevitably departed from it in terms of the definition and content of the virtues. For example, while Aquinas engaged the concepts of the cardinal virtues, an Aristotelian concept left no room for the virtue of humility, regarded as a vice within an Aristotelian social context.¹³⁶⁶ As MacIntyre notes, ‘the New Testament of course differs from both Homer and Aristotle not only in the items included in its catalogue, but once again in its rank ordering of the virtues’.¹³⁶⁷ Nevertheless, he suggests there is a synthesis evident in Aristotle and Aquinas’ accounts, in that a concept of ‘*the good life for man*’ precedes a concept of virtue.¹³⁶⁸

However, concern is expressed at this synthesis. For example, while recognising the usefulness of the language of virtue, Hauerwas and Pinches are, nevertheless, ‘extremely cautious in appropriating pagan virtues from their pagan context’.¹³⁶⁹ In adopting the language of virtue and Aristotle’s motif of journeying towards the good, they recognise that the narrative adopted, and the corresponding virtues, will inevitably differ from those of Aristotle and, indeed, all accounts that are not determined by a goal of imaging the life of Christ and witnessing to the Kingdom of God.¹³⁷⁰

In expounding a Christian virtue ethic, Wright points out that what the New Testament presents is a different way of being human, pointing, in particular to Paul’s vision of virtue which is concerned with ‘being remade in God’s image’, in other words, ‘becoming genuinely human’.¹³⁷¹ Roberts positions this vision of human flourishing within the Kingdom paradigm, pointing to Christian virtues as being ‘distinctly social or communal’ because they are related to membership of the Kingdom of God: ‘In the Christian picture the human being is not essentially a pleasure-seeker, but most fundamentally a child of God, a member of the kingdom’.¹³⁷² This Kingdom paradigm

¹³⁶⁵ See 5.2.

¹³⁶⁶ MacIntyre, *Virtue*, 177.

¹³⁶⁷ MacIntyre, *Virtue*, 182.

¹³⁶⁸ MacIntyre, *Virtue*, 184.

¹³⁶⁹ Hauerwas and Pinches, *Christians*, 27.

¹³⁷⁰ Hauerwas and Pinches, *Christians*, 29.

¹³⁷¹ Wright, *Virtue*, 146.

¹³⁷² Roberts, ‘Character’, 65.

determines the *telos* to which its members are educated and the virtues that arise.

According to Wright:

The Christian virtues, unlike the classical or cardinal virtues expounded by Aristotle and others, are designed to produce, not grand isolated heroes, leading a nation in politics and war, but integrated communities modelling a life of self-giving love.¹³⁷³

However, it is important to note that even in identifying those virtues that not only belong to the Christian narrative, and accord with the *telos* of the moral agent as understood within the Christian tradition, there are a plurality of virtues that are accorded relevance and importance, specifically in line with their different roles and purposes. This accounts for the plurality of understandings of a theological account of a virtue ethic within the Christian tradition.¹³⁷⁴ For example, in taking into account the Christian's eschatological lens, Wells notes that this shapes Hauerwas' understanding of *telos* and the corresponding virtues, adding, for example, the virtue of peace-making to the theological virtues.¹³⁷⁵

In contrast, Aquinas did not dismiss the cardinal virtues expounded by Athens, but grounded them in an understanding of the natural ordering of creation and in the orientation of the four virtues towards the natural human good, under which all other virtues could be accounted for.¹³⁷⁶ As such, the moral virtues shape the human person in such a way that they desire what is in accordance with their good.¹³⁷⁷ The virtues of temperance and fortitude, for example, are primarily concerned with the moral agent's well-being.¹³⁷⁸ Moreover, the virtue of courage has value beyond the well-being of the individual moral agent, but 'has a universal value for preserving the whole order of justice'.¹³⁷⁹ Justice, Porter suggests, is the virtue by which Aquinas, in following Aristotle, explores the communal context of morality and understands the good of the

¹³⁷³ Wright, *Virtue*, 188.

¹³⁷⁴ Porter, *Moral*, 17.

¹³⁷⁵ Wells, *Transforming*, 35. See Hauerwas, *Peaceable*, 103.

¹³⁷⁶ Porter, *Recovery*, 67. 'Thus they are called principal as being common to all virtues. For instance, any virtue that causes a good judgement of reason may be called prudence: every virtue that causes actions to fulfil what is right and due may be called justice: every virtue that restrains and tames the passions may be called temperance; every virtue that strengthens the mind against any onset of passion may be called fortitude. ...It is in this way that the other virtues are contained under them' (T. Aquinas, *Summa Theologiae*, Vol. 23, *Virtue* (I-II.55-67), W.D. Hughes (tr.), London: Blackfriars, 1969, (I-II.61.3), 123. In addition, while each is accorded meaning through their particular function, they each 'overflow' into the other (Aquinas, *ST* (I-II.61.4), 125-129).

¹³⁷⁷ Porter, *Recovery*, 103. 'Hence those virtues which include rightness of appetite are called principal virtues' (Aquinas, *ST* (I-II.61.1), 117, 118).

¹³⁷⁸ Porter, *Recovery*, 48. See Vol. 42 'Courage' (II-II.123-40) and Vol. 43 'Temperance' (II-II.141-54) of the *Summa* for an exposition of Aquinas' teaching on these two moral virtues.

¹³⁷⁹ T. Aquinas, *Summa Theologiae*, Vol. 42, *Courage* (II-II.123-40), A. Ross and P.G. Walsh (trs.), London: Blackfriars, 1966, (II-II.123.12), 39.

individual in relationship to the common good.¹³⁸⁰ Foot points, in particular, to the corrective role that the virtue of justice plays in addressing the ‘deficiency of motivation’ to seek the good of others.¹³⁸¹

Hauerwas notes that Aquinas adopted Aristotle’s understanding of the moral virtues in suggesting that a unity of the virtues was achieved through the exercise of prudence or moral wisdom.¹³⁸² In exhibiting his natural law understanding of the human person, delineated by their capacity for knowledge and will, all persons are equally capable of moral virtue.¹³⁸³ Porter points out Aquinas’ ‘dual meaning’ of goodness, in that an act is good in view of its conformity to reason, and ‘also good in the sense of actualizing, and therefore perfecting, the powers of the agent, including passions, will, and intellect’.¹³⁸⁴ In accordance with his doctrine of creation, ‘capacity for rational self-direction is precisely the quality in virtue of which persons are said to be in the image of God’.¹³⁸⁵ Porter suggests that Aquinas takes account of virtue and gives it ‘order and normative force’ by locating it within a ‘wider metaphysical context’.¹³⁸⁶

However, in recognising the limits of the cardinal virtues in achieving the supreme human good due to the corruption of sin, Porter notes that it is the theological virtues, above all charity, which Aquinas believes will secure the inner unity of the virtues, and to which the cardinal virtues are directed.¹³⁸⁷ The theological virtues are so called, according to Aquinas, ‘both because God is their object, inasmuch as they direct us rightly to him, and because they are infused in us by God alone; and because they are made known to us by divine Revelation contained in Sacred Scripture’.¹³⁸⁸ In particular, charity unites us primarily in relationship with God and others. As Liz Carmichael notes: ‘As a theological virtue and gift of grace, *caritas* perfects natural love’.¹³⁸⁹

¹³⁸⁰ Porter, *Recovery*, 126.

¹³⁸¹ Foot, *Virtues*, 9.

¹³⁸² Hauerwas, *Character*, 79. ‘Of all the moral virtues prudence is the principal simply speaking. The other three are principal in their own class of activity’ (Aquinas, *ST* (I-II.61.3), 121).

¹³⁸³ Porter, *Recovery*, 126.

¹³⁸⁴ Porter, *Moral*, 142.

¹³⁸⁵ Porter, *Recovery*, 140. According to Aquinas: ‘God’s image is found equally in both man and woman as regards that point in which the idea of ‘image’ is principally realized, namely an intelligent nature’ (T. Aquinas, *Summa Theologiae*, Vol. 13, *Man Made to God’s Image*, 1.90-102, E. Hill (tr.), London: Blackfriars, 1964, (I.93.4), 61). However, this ‘image’ is differentiated into stages: ‘The first stage of image then is found in all men, the second only in the just, and the third only in the blessed’ (Aquinas, *ST* (I.93.4), 61).

¹³⁸⁶ Porter, *Moral*, 137.

¹³⁸⁷ Porter, *Recovery*, 169.

¹³⁸⁸ Aquinas, *ST* (I-II.62.1), 139.

¹³⁸⁹ L. Carmichael, *Friendship: Interpreting Christian Love*, London: T&T Clarke International, 2004, 113.

However, the theological cannot operate without the other virtues.¹³⁹⁰ Therefore, in identifying a third virtue framework, Aquinas notes that the cardinal virtues can be infused together with charity in directing one's end towards a supernatural happiness which accords to union with God.¹³⁹¹

In contrast, Hauerwas, while affirming the authority of Scripture and the narrative account therein,¹³⁹² is noted for failing to list specific dispositions.¹³⁹³ He is, at the same time, critiqued for being too prescriptive, for example, where his view on pacifism is accused of leaving no place for 'constructive Christian moral reflection' between different interpretations of the Christian narrative.¹³⁹⁴ Gushee and Stassen, on the other hand, offer a detailed overview of virtues they identify as associated with 'Kingdom People'.¹³⁹⁵ In addition, Wright presents a content-specific account of the theological virtues, supplementing these with the fruit of the Spirit.¹³⁹⁶ In comparing an Aristotelian and Pauline account of the virtues, Wright suggest the former is 'like a signpost pointing in more or less the right direction (though it will need some adjustment), but without a road that actually goes there. What we find in the New Testament is virtue reborn'.¹³⁹⁷

5.5.1 Christian Love: A Flourishing Virtue

In light of the theological tradition of identifying specific virtues understood within the Christian narrative, I will identify virtues that accord with a Christian vision of personhood and dispositions that, I will argue, enrich the vision of a sexually and relationally educated young person. In particular, I shall situate my discussion of individual virtues within the framework of a discussion on the virtue of Christian love. This is on account of the dominant role it plays in the Christian narrative, and on the understanding that all other virtues are understood and perfected through its exercise.¹³⁹⁸

¹³⁹⁰ Porter, *Recovery*, 171.

¹³⁹¹ Porter, 'Virtue', 217.

¹³⁹² Hauerwas, *Community*, 53-71.

¹³⁹³ Healy suggests that Hauerwas's emphasis on the historical context of character development means that he prefers to use stories to describe character development rather than identifying a list of dispositions (Healy, *Hauerwas*, 27).

¹³⁹⁴ Porter, *Recovery*, 31.

¹³⁹⁵ Gushee and Stassen, *Kingdom*, 32-54.

¹³⁹⁶ Wright, *Virtue*, 156-188.

¹³⁹⁷ Wright, *Virtue*, 33.

¹³⁹⁸ This is certainly the understanding within Aquinas' ethic. Although Gene Outka suggests there is no agreement on the 'nature and extent of charity's dominance' (G. Outka, *Agape: An Ethical Analysis*, London: Yale University Press, 1972, 134), Wright, in quoting from Paul's exhortation in 1 Corinthians 13, claims that love is the 'greatest virtue' (Wright, *Virtue*, 156). For Gushee and Stassen, 'love is the heart of living, of being human' (Gushee and Stassen, *Kingdom*, 327).

It affirms Volf's vision of Christian human flourishing, a vision in which the love of pleasure concedes to the pleasure of love - love of God and love of neighbour.¹³⁹⁹

As evidenced in Chapter 4, there is a normative disjuncture between sex and love in modern philosophical accounts of both, an understanding which is also emerging in SRE discourse. For example, in offering an account of the philosophical exploration of love, Troy Jollimore points out: 'The claim that sex without love has *some* value, even potentially significant value, is no longer thought wrong by very many (though some within certain religious traditions still reject it)'.¹⁴⁰⁰ While love is not absent from policy discourse, as exemplified in the Coalition Government's commitment that SRE should include 'an understanding of the ways in which humans love each other' while at the same time stressing the 'importance of respecting individual autonomy',¹⁴⁰¹ the vision of love that is presented is inherently problematic within a Christian worldview. Promoting a subjective understanding of love within a moral framework that gives precedence to an outcome which is predisposed to securing individual autonomy compromises a Christian vision of personhood. As Hauerwas notes, the goal of Christian behaviour is neither autonomy nor independence and, therefore, the Christian life 'is substantively at odds with any account of morality that makes autonomy the necessary condition and/or goal of moral behavior'.¹⁴⁰²

Indeed, as MacIntyre points out: 'Charity is not of course, from the biblical point of view, just one more virtue to be added to the list. Its inclusion alters the conception of the good for man in a radical way'.¹⁴⁰³ In defence of his own socially constructed view of virtue, this is why, in particular, an understanding of how humans love each other is narrative-dependent and, indeed, why the content and meaning of a virtue like charity is comprehensible within one cultural context and not another. He notes, for example, that 'the story of the thief on the cross is unintelligible in Aristotelian terms. It is unintelligible precisely because charity is not a virtue for Aristotle'.¹⁴⁰⁴ Therefore, in re-echoing Smith's philosophical anthropology, the narrative that shapes our understanding of love ultimately shapes our identity: 'I cannot answer the question, what do I love? without (at least implicitly) answering the question, what story do I

¹³⁹⁹ See 1.4.1.

¹⁴⁰⁰ T. Jollimore, 'Love', A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 606-620, 614.

¹⁴⁰¹ See 1.3.1.

¹⁴⁰² Hauerwas, *Community*, 130.

¹⁴⁰³ MacIntyre, *Virtue*, 174.

¹⁴⁰⁴ MacIntyre, *Virtue*, 175.

believe?’¹⁴⁰⁵ Consequentially, it is understandable why a Christian understanding of ‘loving your neighbour as yourself’ along with ‘loving your enemies’ bewildered the atheistic Freud,¹⁴⁰⁶ whereas within Lewis’s Christian worldview, in contrast, it was ‘Divine Gift-love’ that made such love possible.¹⁴⁰⁷ While acknowledging this narrative-dependence, the purpose of the constructive approach adopted in this thesis is to present a Christian vision of personhood as a resource for enriching SRE policy discourse.¹⁴⁰⁸

Of course, it would take multiple theses to even begin to touch on what has been understood by the virtue of love within Scripture and the Christian tradition.¹⁴⁰⁹ As Craig A. Boyd notes: ‘Christian theologians from Augustine and Aquinas to Edwards and Wesley have consistently praised love as the singularly most important feature of the Christian life’.¹⁴¹⁰ Indeed, as a central norm of Christian ethics, it has had differing interpretations and applications,¹⁴¹¹ including being accorded supreme value in ethical decision-making.¹⁴¹² Wright points out that, even as a matter of linguistic interpretation, the word ‘love’ in the English language has multiple meanings, pointing to C.S. Lewis’ famous *The Four Loves* as one example of discussion on the multi-layered complexity of its nature.¹⁴¹³ However, within the New Testament context, Wright suggests that *agape* love, spoken of by Paul and the early Christians, ‘sets the bar as high as it can go’.¹⁴¹⁴

Within theological ethics, Anders Nygren’s two-volume seminal work, *Agape and Eros*,¹⁴¹⁵ noted as a key text in shaping the field,¹⁴¹⁶ has been credited with initiating

¹⁴⁰⁵ Smith, *Imagining*, 129, 130.

¹⁴⁰⁶ Nicholi, *Question*, 175.

¹⁴⁰⁷ Lewis, *Four*, 155.

¹⁴⁰⁸ See 2.5.1.

¹⁴⁰⁹ See T.W. Ogletree, ‘Love, Love Command’, J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 490-494, for an account of the love commands in Scripture.

¹⁴¹⁰ C.A. Boyd, ‘Introduction: Perspectives on Love and *Agapé*’, C.A. Boyd (ed.), *Visions of Agapé: Problems and Possibilities in Human and Divine Love*, Aldershot: Ashgate Publishing, 2008, 1-13, 4. See C. Lindberg, *Love: A Brief History through Western Christianity*, Oxford: Blackwell, 2008, for a ‘broad narrative of love in Western history’ (xi). For a theological exploration of love see, for example, W.G. Jeanrond, *A Theology of Love*, London: T&T Clark International, 2010. For a broader, inter-disciplinary account see, for example, V. Brümmer, *The Model of Love*, Cambridge: CUP, 1993.

¹⁴¹¹ See, for example, Chapter 16 on ‘Love’ in Gushee and Stassen, *Kingdom*, 327-344.

¹⁴¹² See, for example, J. Fletcher, *Situation Ethics*, London: SCM Press, 1966.

¹⁴¹³ Wright, *Virtue*, 158.

¹⁴¹⁴ Wright, *Virtue*, 158.

¹⁴¹⁵ A. Nygren, *Agape and Eros*, P.S. Watson (tr.), London: SPCK, 1953.

¹⁴¹⁶ See W. Werpehowski, ‘Anders Nygren’s *Agape and Eros*’, G. Meilaender and W. Werpehowski (eds.), *The Oxford Handbook of Theological Ethics*, Oxford: OUP, 2005, 433-448. Werpehowski points to the ‘conceptual clarity’ offered by Nygren in presenting a ‘fourfold analysis of God’s love for humanity, and humanity’s for God, self-love, and the love of neighbour’ (434).

significant scholarship on the notion of love.¹⁴¹⁷ While Nygren re-asserts that *agape* is the ‘fundamental motif’¹⁴¹⁸ with which to understand Christian love, affirmed in theological discourse as rooted in, and springing from, divine *agape* as exemplified in the sacrificial love of Christ,¹⁴¹⁹ he contends that it has been corrupted by an association with *eros*. He asserts that the two understandings of love, in effect, stand in diametric opposition to one another: ‘Eros and Agape are the characteristic expressions of two different attitudes to life, two fundamentally opposed types of religion and ethics’.¹⁴²⁰ However, in an exploration of how the virtue of Christian love might enrich SRE discourse, I will present a defence for how *eros* can be understood alongside *agape*, and how both can be enriched within an understanding of *philia*.

(a) *Agape* and *Eros*

In noting the different understandings of *eros*, I affirm Edward Collins Vacek’s view that ‘eros springs from and is directed to fulfilling the interests or development of the self’.¹⁴²¹ Disagreement arises over how this should be interpreted within a Christian ethic; for example, while Nygren rejects this self-centred pursuit, Vacek points in contrast to Aquinas, who affirmed love for one’s own good.¹⁴²² Therefore, while self-love is regarded with suspicion in Reformed thinking, as reflected in Nygren’s thinking, Julie Mavity Maddalena notes that classical theologians, including Augustine and Aquinas, ‘posit that a proper love for self as God’s creation would lead to the glorification of and right relation with God’.¹⁴²³ Self-love and self-flourishing, as understood within the common good, are also noted to occupy a prominent place within a virtue framework.¹⁴²⁴

Nevertheless, when it comes to a sexual ethic, Thieliicke is critical of the excessive discourse within society on the ‘details of *eros*’, which, he notes, are outworked within

¹⁴¹⁷ A.L. Hall, ‘Love: A Kinship of Affliction and Redemption’, G. Meilaender and W. Werpehowski (eds.), *The Oxford Handbook of Theological Ethics*, Oxford: OUP, 2005, 307-321, 308.

¹⁴¹⁸ Nygren, *Agape*, 46.

¹⁴¹⁹ Nygren, *Agape*, 726.

¹⁴²⁰ Nygren, *Agape*, 205.

¹⁴²¹ E.C. Vacek, S.J., *Love, Human and Divine: The Heart of Christian Ethics*, Washington: Georgetown University Press, 1994, 247.

¹⁴²² Vacek, *Love*, 244.

¹⁴²³ J.M. Maddalena, ‘Self-Love’, J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 714-715, 714. For a philosophical and theological exploration of the concept of self-love in Augustine, see O. O’Donovan, *The Problem of Self-Love in St. Augustine*, London: YUP, 1980.

¹⁴²⁴ Maddalena, ‘Self-Love’, 714; See 5.2.1 (c).

sex education.¹⁴²⁵ Of course, it is important to note that *eros* and sexual activity are not mutually inclusive.¹⁴²⁶ However, problems arise, Thielicke notes, when sexual behaviour is reduced to mere self-driven impulse and instinct. The long-term consequences for Thielicke are clear:

For the farther we remove ourselves from the realm of the personal and the more we move into the realm of purely physical and psychic reactions the more we remove ourselves from the dimension of the “once-for-all” and move into the dimension of the general and interchangeable.¹⁴²⁷

Thielicke’s critique echoes the transitory nature of Lewis’s ‘Need-love’: like ‘Need-pleasure’, neither ‘last longer than the need’.¹⁴²⁸ The challenge that Thielicke presents for a sexual ethic, therefore, is not to replace *eros* with *agape*, but to see the interconnection between them in a theologically informed anthropology. Unlike Nygren’s assessment, for Thielicke the two are not dialectically opposed, but intersect within the so-called ‘sexual community’.¹⁴²⁹ What Nygren’s account overlooks, suggests Hollinger, is the ‘creation-ordered’ dimension of love.¹⁴³⁰ In expounding the biblical teaching on *agape* and *eros*, he notes: ‘Love in the Bible is never so spiritualized that it cannot include sexual love, and a sexual love that involves the passions’.¹⁴³¹ In affirming that which is understood through natural revelation, sex can be appreciated as a natural gift for the demonstration and deepening of love by those outside of Christ.¹⁴³² As such, Jollimore points to secular philosophers who have understood the value of sexual love in agapic terms.¹⁴³³

However, in referring to Lewis’s discussion on the matter, Jollimore notes that *eros* is concerned not just with the satisfaction of desire, but with the particular person towards whom the desire is directed: ‘Unlike hunger (or horniness), which might be satisfied by any dish or roast beef (or any accommodating person), Eros attaches to one particular person, for whom there can be no substitute’.¹⁴³⁴ Therefore, it is mistaken to deny the interpersonal aim of sexual desire, as recognised by Scruton, where love is the *telos*

¹⁴²⁵ Thielicke, *Ethics*, 37.

¹⁴²⁶ Lewis states: ‘That sexual experience can occur without Eros, without being ‘in love’, and that Eros includes others things besides sexual activity, I take for granted’ (Lewis, *Four*, 111).

¹⁴²⁷ Thielicke, *Ethics*, 39.

¹⁴²⁸ Lewis, *Four*, 18.

¹⁴²⁹ Thielicke, *Ethics*, 28. Within Thielicke’s ‘sex community’, *agape* must always play a role because it involves a connection between two persons: ‘I must respect the “alien dignity” within him’ (33). In addition, the two are interrelated in that there are particular conditions set on who that ‘object of my *eros*’ can be: ‘Sex community is a special case of human communication with conditions attached to it’ (34).

¹⁴³⁰ Hollinger, *Meaning*, 107.

¹⁴³¹ Hollinger, *Meaning*, 108.

¹⁴³² Hollinger, *Meaning*, 110.

¹⁴³³ Jollimore, ‘Love’, 608.

¹⁴³⁴ Jollimore, ‘Love’, 611.

towards which sexual desire is directed.¹⁴³⁵ Nevertheless, Thielicke would point to the different motivations of *agape* and *eros*: ‘in *eros* the *worth* of the other person is the object; in *agape* the *authentic being* [*Eigentlichkeit*] of the other person is the object’,¹⁴³⁶ an identity that transcends mere function.¹⁴³⁷

My current discussion has critiqued the current moral vision of the good in SRE discourse, a vision pre-disposed to the realization of a self-authenticated choice, towards a self-determined end, akin to Vacek’s description of *eros*. In noting the dominance of the pleasure discourse, we heed Lewis’ warning that the danger with the ‘god-like’ nature of *eros* is ‘not that the lovers will idolise each other but that they will idolise Eros himself’.¹⁴³⁸ *Eros*, however, does not remain unchecked within moral discourse concerning the aims of sex education. Ben Spiecker and Jan Steutel, for example, advocate a virtue of ‘balanced caring’, which incorporates ‘emotions of benevolence’ towards another’s welfare.¹⁴³⁹ As such, empathy is viewed as playing an important role in a young person’s emotional and moral development.¹⁴⁴⁰

The latest SRE policy advice for schools claims that ‘SRE lays the foundations for developing empathy and understanding between girls and boys, young men and young women’.¹⁴⁴¹ A failure of young people to demonstrate ‘affective-motivational’ qualities, such as respect and care, according to Spiecker and Steutel, indicates ‘possible stagnation in the child’s moral-sexual development’.¹⁴⁴² In his ‘ethic of caring’, Slote advocates a balance between ‘intimate caring’, ‘humanitarian caring’ and ‘self-concern’.¹⁴⁴³ However, beyond a socially constructed notion of consent, the development and outworking of empathy, and its implications for sexual behaviour, remain unstable. As discussed in Chapter 4, it is unclear on what basis the ‘harm principle’ can be justified on naturalist grounds beyond a socially constituted ideal.

¹⁴³⁵ See 4.2.2 (b).

¹⁴³⁶ Thielicke, *Ethics*, 28.

¹⁴³⁷ Thielicke, *Ethics*, 32.

¹⁴³⁸ Lewis, *Four*, 135.

¹⁴³⁹ B. Spiecker and J. Steutel, ‘Components of Virtues and Stagnations in Moral-Sexual Development’, R. Halwani (ed.), *Sex and Ethics: Essays on Sexuality, Virtue, and the Good Life*, Basingstoke: Palgrave Macmillan, 2007, 177-189, 183.

¹⁴⁴⁰ See, for example, B. Cooper, *Empathy in Education: Engagement, Values and Achievement*, London: Continuum, 2011; E.E.A. Skoe, ‘The Relationship between Empathy-related Constructs and Care-based Moral Development in young Adulthood’, *Journal of Moral Education*, Vol. 39, No. 2, June 2010, 191–211; Van der Ven, *Formation*, 313.

¹⁴⁴¹ Brook et al., *Sex*, 10.

¹⁴⁴² Spiecker and Steutel, ‘Virtues’, 185.

¹⁴⁴³ Slote, ‘Virtue’, 339.

In contrast, Thielicke notes that Christian *agape* is understood as “‘existence-for-the-other-person’”, where a person is ‘determined by his neighbour’; the implication for a sexual ethic is a ‘trend towards monogamy’.¹⁴⁴⁴ Not only is personhood found in relation to others, Alistair McFadyen, for example, suggests that ‘genuine personhood is primarily derived from one’s fidelity and commitment to others’.¹⁴⁴⁵ As such, sexual faithfulness challenges the ‘experiential satisfaction’ that Volf warns currently shapes our vision of flourishing.

Within a Biblical sexual ethic, this existence-for-the-other is understood within the permanent, monogamous relationship of marriage.¹⁴⁴⁶ In exploring this commitment, Hollinger suggests that love needs ‘definition and a conviction that sexual love goes hand in hand with one-flesh consummation and a context of procreation’.¹⁴⁴⁷ The context and commitment of marriage, he suggests, avoids passion turning into ‘self-serving objectification of the other person, using the other as a means for one’s own selfish ends’.¹⁴⁴⁸ The vision of human flourishing within the Christian tradition, therefore, points to the fact that the sexual act signifies ‘a permanent and exclusive type of relationship’.¹⁴⁴⁹

A Christian vision of the moral good of sexual behaviour would argue for the reinstatement of the normative link between sex and love within SRE discourse, in particular, between *eros* and *agape*, directed towards the moral end of marriage.¹⁴⁵⁰ Sexual faithfulness becomes a content- and context-specific aspect of the theological virtue of love. Williams notes that it takes time for this ‘mutual recognition that my partner and I are not simply passive instruments to each other’.¹⁴⁵¹ The more time spent, he suggests, the greater the element of risk in exposing oneself to being formed by the other: ‘properly understood, sexual faithfulness is not an avoidance of risk, but the creation of a context in which grace can abound because there is a commitment not to run away from the perception of another’.¹⁴⁵² This echoes Lewis’s assertion that ‘to love

¹⁴⁴⁴ Thielicke, *Ethics*, 90.

¹⁴⁴⁵ A. McFadyen, *The Call to Personhood: A Christian Theory of the Individual in Social Relationships*, Cambridge: CUP, 1990, 73.

¹⁴⁴⁶ See S. Grenz, *Sexual Ethics: A Biblical Perspective*, Carlisle: Paternoster, 1998, 99; ‘Marriage, Creation and the Kingdom’ in Gushee and Stassen, *Kingdom*, 274-277.

¹⁴⁴⁷ Hollinger, *Meaning*, 110.

¹⁴⁴⁸ Hollinger, *Meaning*, 110.

¹⁴⁴⁹ Geach, ‘Marriage’, 185.

¹⁴⁵⁰ See C. Ash, ‘Marriage’, C. Campbell-Jack and G.J. McGrath (eds.), *New Dictionary of Christian Apologetics*, Leicester: IVP, 2006, 416-417, for a Christian apologetic of marriage.

¹⁴⁵¹ Williams, ‘Body’s’, 315.

¹⁴⁵² Williams, ‘Body’s’, 315.

at all is to be vulnerable'.¹⁴⁵³ This moves SRE discourse and the framing public sexual ethic beyond a socially constructed understanding of consent, towards a transcendent narrative of commitment and fidelity that contains within it no script for a mere casual, self-seeking approach to relationships or sexual encounters.

(b) *Philia*

In addition, Vacek presents a case for why *agape* and *eros*, while both having a place in the Christian life and distinct in their own right, are incomplete without *philia*, described as 'mutual love' - a love that does not work 'for the other', nor one that lives 'from others', but 'a love that means being *with* others'.¹⁴⁵⁴

In comparison to the ancient world, Meilaender's theological ethic on friendship points to a dearth of Christian reflection on the subject.¹⁴⁵⁵ Lewis directs a similar critique at modernity: 'To the Ancients, Friendship seemed the happiest and most fully human of all loves; the crown of life and the school of virtue. The modern world, in comparison ignores it'.¹⁴⁵⁶ Herdt notes that an Aristotelian vision of friendship is where the virtues, as excellences of the individual, are viewed in terms of their contribution to the common good,¹⁴⁵⁷ instituting the political nature of friendship.¹⁴⁵⁸ In contrast, MacIntyre suggests that in our modern world of liberal individualism, "Friendship" has become for the most part the name of the type of emotional state rather than of a type of social and political relationship'.¹⁴⁵⁹ However, Ray Pahl, in his socio-historical account of the development of friendship, is hesitant to draw any normative assumptions, recognising instead the importance of the social and cultural context in shaping our understanding.¹⁴⁶⁰ Viewed through the lens of a theological ethic, Meilaender is nevertheless critical of the idea of civic friendship, as it points to a different form of

¹⁴⁵³ Lewis, *Four*, 147.

¹⁴⁵⁴ Vacek, *Love*, 280.

¹⁴⁵⁵ G.C. Meilaender, *Friendship: A Study in Theological Ethics*, Notre Dame: University of Notre Dame Press, 1985. For an account of the references to friendship in Scripture, and friendship as understood in the Christian tradition, see P.J. Wadell, 'Friendship, Friendship Ethics', J.B. Green (ed.), *Dictionary of Scripture and Ethics*, Grand Rapids: Baker Academic, 2011, 316-318.

¹⁴⁵⁶ Lewis, *Four*, 69.

¹⁴⁵⁷ Herdt, *Putting*, 37. Aristotle devoted two books in *The Nicomachean Ethics* to friendship - Book 8 is dedicated to 'The Kinds of Friendship', Book 9 to 'The Grounds of Friendship'.

¹⁴⁵⁸ Herdt, *Putting*, 37.

¹⁴⁵⁹ MacIntyre, *After*, 156.

¹⁴⁶⁰ R. Pahl, *On Friendship*, Cambridge: Polity Press, 2000, 168.

human community in which the boundaries of love are limited: ‘We do not receive our life and being, finally, from the political community’.¹⁴⁶¹

In his own reflection, Meilaender offers an exploration of what he suggests to be the ‘central tension’ between *agape* and *philia*.¹⁴⁶² This, he denotes, to be the understanding of friendship as ‘preferential love’, with the related problems of reciprocity and fidelity in friendship.¹⁴⁶³ In particular, in viewing friendship as reciprocal love he notes the tension between ‘wishing the other well for the other’s sake and desiring union with the other’.¹⁴⁶⁴ This desire for the other, he points out, is a ‘desire to enjoy the *friend*, not the pleasure which accompanies the presence of the friend’.¹⁴⁶⁵ However, by their very nature, preferential and reciprocal love ‘must be subject to change’, which would appear to make them incompatible with the faithful love of Christian friendship.¹⁴⁶⁶ Yet Meilaender notes, ‘a love which lacks these marks of *philia* – its deep intimacy, mutuality, and preference – seems too impersonal and cold to satisfy the needs of our nature’.¹⁴⁶⁷

This echoes the criticism directed against the ‘equal regard’ of Gene Outka’s *agape* love, the ‘independent and unalterable’ regard for one’s neighbour,¹⁴⁶⁸ where such an account, according to Gushee and Stassen, seems too ‘abstract’ and ‘incomplete’, failing to give enough importance to the moral obligations towards family and those closest to us.¹⁴⁶⁹ In contrast, Meilaender suggests that ‘friendship, with its warmth and mutuality, should be the internal fruition of *agape*’.¹⁴⁷⁰

In justifying the preferential nature of friendship love, responding in particular to its rejection by Nygren and Søren Kierkegaard, Paul Wadell highlights the importance in understanding *philia* within the Christian narrative, in particular as the context in which

¹⁴⁶¹ Meilaender, *Friendship*, 77. Meilaender explores the practice of friendship in political community through the practice of vocation (Meilaender, *Friendship*, 86-103). See a challenge to Meilaender’s conclusions on civic friendship in G. de Graff, *Politics in Friendship: A Theological Account*, London: Bloomsbury T&T Clarke, 2014.

¹⁴⁶² Meilaender, *Friendship*, 3.

¹⁴⁶³ Meilaender, *Friendship*, 3.

¹⁴⁶⁴ Meilaender, *Friendship*, 48.

¹⁴⁶⁵ Meilaender, *Friendship*, 48.

¹⁴⁶⁶ Meilaender, *Friendship*, 54.

¹⁴⁶⁷ Meilaender, *Friendship*, 65.

¹⁴⁶⁸ Outka, *Agape*, 12.

¹⁴⁶⁹ Gushee and Stassen, *Kingdom*, 333.

¹⁴⁷⁰ Meilaender, *Friendship*, 65.

Christian love is learnt.¹⁴⁷¹ Consistent with this, Carmichael places friendship at the heart of *agape* love:

The love of friendship...is love that sets people free to be and to become in their own individual uniqueness, and which is essentially directed towards, hopes for and invites, reciprocal love and the joy of fulfilment in mutual relationship: but without possessively demanding it.¹⁴⁷²

Alongside *agape*, *philia* also enriches our understanding of *eros*. Critiquing the dominance of *eros* at the expense of *philia* within the church, Kenneth Leech notes: ‘The obsession with anatomy and genitalia has made many Christians timid about deep, passionate and committed friendships, and this has had a detrimental effect on the whole area of solidarity and communion’.¹⁴⁷³ Outside of the church, an ‘ambiguity’ in the relationship between sex and friendship is also noted.¹⁴⁷⁴ Neera Badhwar suggests that Freud, in particular, diminished friendship and other forms of “higher love” as merely ‘aim-inhibited’ forms of *eros*, the product of a repressed sexual instinct.¹⁴⁷⁵ However, in arguing for the appropriate relation between *philia* and *eros*, James McEvoy, for example, suggests that friendship within marriage, ‘loving the other for the goodness of character that is his or hers, teaches *eros* a restraint, an exclusiveness and a fidelity, that belong to the full human accomplishment of living’.¹⁴⁷⁶ All three aspects of love come together in a shared life, one mark of which, notes Vacek, is the dialogue and interaction between free people: ‘A true encounter is always with someone whom we cannot control’.¹⁴⁷⁷ Friendship, as Lewis states, ‘is a relation between men at their highest level of individuality’.¹⁴⁷⁸ In each *philia* encounter, notes Vacek, we realize a different aspect of one’s personal self in a process of ‘mutual self-disclosure’,¹⁴⁷⁹ a process in which we transcend our own individual needs and desires for the good of the special relationship. In light of this, Kotva suggests that we become fully individuated and fully flourish in the midst of ‘intrinsically worthwhile relationships’.¹⁴⁸⁰

¹⁴⁷¹ P.J. Wadell, *Friendship and the Moral Life*, Notre Dame: University of Notre Dame, 1989, 119.

¹⁴⁷² Carmichael, *Friendship*, 200.

¹⁴⁷³ K. Leech, *The Sky is Red: Discerning the Signs of the Times*, London: Darton, Longman and Todd, 1997, 31.

¹⁴⁷⁴ M. Vernon, *The Philosophy of Friendship*, Basingstoke: Palgrave MacMillan, 2005, 31.

¹⁴⁷⁵ N.K. Badhwar, ‘Friendship’, A. Soble (ed.), *Sex from Plato to Paglia: A Philosophical Encyclopedia, Vol. 1: A-L*, London: Greenwood Press, 2006, 390-397, 390.

¹⁴⁷⁶ J. McEvoy, ‘Friendship within Marriage: A Philosophical Essay’, L. Gormally (ed.), *Moral Truth and Moral Tradition*, Dublin: Four Courts Press, 1994, 194-202, 201.

¹⁴⁷⁷ Vacek, *Love*, 290.

¹⁴⁷⁸ Lewis, *Four*, 72.

¹⁴⁷⁹ Vacek, *Love*, 290.

¹⁴⁸⁰ Kotva, *Christian*, 22; See 5.2.1 (c).

This thesis allows only a brief exploration of *eros*, *agape* and *philia*, their distinctiveness and relatedness; therefore, this discussion can offer only an initial reflection on the multi-faceted nature of the virtue of love and the mutuality that is inherent within a Christian understanding of living in community. Suffice to say, in the face of a culture overtly focussed on *eros*, a Christian contribution to SRE discourse would introduce an understanding of these multi-layered facets, in order to enrich a vision of moral education and human flourishing, moving beyond a policy discourse of perceived ‘neutrality’, towards a relational narrative on which to build a vision of a sexually and relationally educated young person.¹⁴⁸¹ Ultimately, within a Christian narrative, friendship with God lies at the heart of that vision.

5.5.2 Chastity: An Enriching Virtue

In addition to the place of Christian love as a flourishing virtue, I shall also identify the virtue of chastity as an enriching virtue within a vision of Christian personhood. This is the virtue that Lewis pointed to as denoting a Christian morality of sex.¹⁴⁸² This speaks to, in particular, the negative press that ‘abstinence’ receives in current SRE discourse, and responds to the judgment that there exists a void in policy in articulating why delaying sex might be a good thing. It also confronts the cultural narrative that promotes an unbounded pursuit of sexual pleasure or, as Lewis noted, the ‘propaganda in favour of unchastity’.¹⁴⁸³

Chastity, Carr suggests, is one virtue that is distinct to sexual activity.¹⁴⁸⁴ In his account of abstinence in relation to sexual activity, he draws an insightful distinction between the concepts of abstinence, celibacy, chastity, and virginity, presenting the possibility, for example, ‘that one might be chaste in the absence of celibacy or virginity’.¹⁴⁸⁵ In particular, he suggests that a distinction might be made between ‘religious and secular forms of abstention’ in view of the different understandings of the concept of chastity: ‘What mainly seems to distinguish consecrated celibacy from secular celibacy (aesthetically or pragmatically motivated avoidance of sexual relations) is a

¹⁴⁸¹ My intent is to offer this initial reflection as a means of laying the groundwork for future discussion.

¹⁴⁸² In Book Three and Chapter 5 of *Mere Christianity*, Lewis devotes a chapter to sexual morality. C.S. Lewis, ‘Mere Christianity’, *The Complete C.S. Lewis Signature Classics*, New York: HarperCollins, 2002 [1943], 1-177.

¹⁴⁸³ Lewis, ‘Mere’, 86.

¹⁴⁸⁴ See D. Carr, ‘On the Prospects of Chastity as a Contemporary Virtue’, R. Halwani (ed.), *Sex and Ethics: Essays on Sexuality, Virtue, and the Good Life*, Basingstoke: Palgrave Macmillan, 2007, 89-100.

¹⁴⁸⁵ Carr, ‘Abstinence’, 7.

commitment of abstention as a moral or spiritual ideal of human growth'.¹⁴⁸⁶ However, 'consecrated celibates', he notes, are committed to more than just sexual abstinence, but to 'the cultivation of certain attitudes toward sexual life - a certain purity of heart of mind'.¹⁴⁸⁷

Even within our sex-saturated culture, abstention from sexual activity is not such a strange phenomenon. For as Lewis points out, 'every sane and civilised man must have some set of principles by which he chooses to reject some of his desires and to permit others'.¹⁴⁸⁸ As noted throughout, it is the end to which sexual activity is directed which will inevitably determine such principles and choices. Temperance, in particular, has long been associated with the need to regulate, control and direct the sexual appetite.¹⁴⁸⁹ As such, in adopting an Aristotelian 'doctrine of the mean',¹⁴⁹⁰ Scruton suggests that 'education is directed towards the special kind of temperance which shows itself, sometimes as chastity, sometimes as fidelity, sometimes as passionate desire, according to the 'right judgement' of the subject'.¹⁴⁹¹

Therefore, when it comes to educating for character, Van der Ven notes that the passions must be given their 'proper place'.¹⁴⁹² This involves the rejection of the idea of 'suppressing, controlling, and neutralizing' them, pointing instead to their 'ordering and processing'.¹⁴⁹³ As such, education should be directed towards the complementary process of living according to reason and passions, where rational engagement is directed towards the processing of emotions towards the vision of the moral good.¹⁴⁹⁴ This has included, within modern philosophical discourse, a defence for the compatibility of temperance with casual sex and promiscuity, with the qualification that such desires exclude 'wrong-making features'.¹⁴⁹⁵

¹⁴⁸⁶ Carr, 'Abstinence', 9.

¹⁴⁸⁷ Carr, 'Abstinence', 9.

¹⁴⁸⁸ Lewis, 'Mere', 87.

¹⁴⁸⁹ Indeed, Foot suggests that all the virtues can be seen as '*corrective*, each one standing at a point at which there is some temptation to be resisted or deficiency of motivation of be made good' (*Virtues*, 8). Aquinas noted that 'temperance is directly about desires, courage about fears. How we act outwardly comes from how we feel inwardly, and so temperate behaviour depends on well-tempered emotions' (Aquinas, *ST*, II-II.141.3, 15).

¹⁴⁹⁰ Aristotle, *Nicomachean*, 40.

¹⁴⁹¹ Scruton, *Sexual*, 340. This understanding of the 'mean' is echoed in Geach's understanding, where its exercise is 'a common-sense matter of neither being distracted from great ends by short-term enjoyments, nor damaging oneself by excessive abstinence' (Geach, *Virtues*, xxvi).

¹⁴⁹² Van der Ven, *Formation*, 381.

¹⁴⁹³ Van der Ven, *Formation*, 381.

¹⁴⁹⁴ Van der Ven, *Formation*, 382.

¹⁴⁹⁵ These include, in his view, pedophilia, adultery and deception (R. Halwani, 'Casual Sex, Promiscuity, and Temperance', R. Halwani (ed.), *Sex and Ethics: Essays on Sexuality, Virtue, and the Good Life*, Basingstoke: Palgrave Macmillan, 2007, 215-225, 217).

In light of this, Carr notes chastity to be distinct from the other virtues. For however self-controlled and temperate a moral agent might be, it is their attitude, values, or feelings which mark them out as distinctive.¹⁴⁹⁶ He states:

The key difference between the chaste and the sexually continent is that the former do not entertain such inclinations as viable or honourable prospects; they regard lustful, adulterous or promiscuous promptings as unworthy and demeaning and are therefore free from the moral struggle of the continent.¹⁴⁹⁷

Such ‘unworthy’ and ‘demeaning’ attitudes and feelings, however, may be viewed as hang-ups from our ‘anti-sex’ tradition and therefore no longer understood or embraced as part of our social narrative.¹⁴⁹⁸ As Lewis noted, ‘chastity is the most unpopular of the Christian virtues’.¹⁴⁹⁹ Indeed, Robert Adams suggests that the virtue of chastity is no longer regarded as an ‘honourable quality’.¹⁵⁰⁰ As such, in recognising chastity as ‘deeply political’,¹⁵⁰¹ Jenny Taylor notes that it is ‘not just invalid as an ideal, but has effectively dropped out of the lexicon because few understand its wider social meaning’.¹⁵⁰² This is due, she suggests, to a loss of connection between sexuality and spirituality, a loss which she bemoans is also evident in the church.¹⁵⁰³ Indeed, as Wright has argued, this is consequential of a wider neglect in the understanding of virtue: ‘Do you think, as a “normal” young person growing up in today’s sex-soaked Western world, that you could attain chastity of heart, mind, and body just through praying one prayer about it?’¹⁵⁰⁴

However, chastity is also denounced for the perceived damaging control it has on natural instinct. In noting how chastity has been associated with various forms of ‘political or psychological control’, Carr highlights, in particular, how the denial of sexual instinct has been associated with psychological damage.¹⁵⁰⁵ Freud, in his assessment of sexual instinct, observed: ‘Experience shows that that the majority of the people who make up our society are constitutionally unfit to face the task of

¹⁴⁹⁶ Carr, ‘Prospects’, 95.

¹⁴⁹⁷ Carr, ‘Prospects’, 97.

¹⁴⁹⁸ Of course, a rejection of sexual abstinence as a virtue is not just an outcome of modern philosophical discourse. For example, Hume categorized the ‘monkish virtue’ of celibacy a vice (D. Hume, *Enquiries Concerning the Human Understanding and Concerning the Principles of Morals* (2nd ed.), L.A. Selby-Bigge (ed.), Oxford: Clarendon Press, 1902 [1777], 270).

¹⁴⁹⁹ Lewis, ‘Mere’, 84.

¹⁵⁰⁰ R.M. Adams, *A Theory of Virtue: Excellence in Being for the Good*, Oxford: Clarendon Press, 2006, 57.

¹⁵⁰¹ J. Taylor, *A Wild Constraint: The Case for Chastity*, London: Continuum, 2008, 4.

¹⁵⁰² Taylor, *Wild*, 12.

¹⁵⁰³ Taylor, *Wild*, 83.

¹⁵⁰⁴ Wright, *Virtue*, 61.

¹⁵⁰⁵ Carr, ‘Prospects’, 98.

abstinence'.¹⁵⁰⁶ He noted, in particular, the challenge faced 'during the period of ardent and vigorous youth'.¹⁵⁰⁷ As explored earlier, this has significantly shaped the master narrative in which SRE policy has been shaped.¹⁵⁰⁸ However, Lewis draws attention to the difference between 'repressed' sex, as understood within psychology, and 'suppressed' sex, a conscious restraint, where the second leads to an intimate understanding of one's sexuality. He concludes: 'Virtue - even attempted virtue - brings light; indulgence brings fog'.¹⁵⁰⁹ In addition, Anscombe highlights how unrestrained sexual instinct provides a poor barometer of moral character: 'The idea lacks any foundation, that the people who are bent upon and who get a lot of sexual enjoyment are more gentle, merciful and kind than those who live in voluntary continence'.¹⁵¹⁰ Once again, we see the inadequacy of a naturalist worldview in drawing moral norms from human observations and experience.

In view of the nature of chastity in influencing the attitudes, values and feelings of the agent with regard to their sexual behaviour, we once again shift our understanding of human sexuality beyond the mere biological towards a thinking, feeling and willing understanding of our personhood. In viewing chastity as a 'form of the virtue of faithfulness', which we noted earlier is inherent to an understanding of Christian love, Hauerwas notes that it is as equitable to married life as to the single life.¹⁵¹¹ Indeed, more widely understood within secular, liberal discourse, Carr suggests that chastity, 'broadly conceived as decent and honourable self- and other-regarding sexual association' might be viewed by educationalists as 'part of the rich tapestry of any flourishing moral life'.¹⁵¹² Therefore, in re-engaging with the interpersonal nature of sex, Scruton suggests 'it becomes not foolish but admirable to ignore the promptings of a desire that brings no intimacy or fulfilment'.¹⁵¹³ This challenges SRE discourse to identify a moral language that gives young people, not only a moral reason to say 'no' to sex, but also a moral vision of the ideal context in which to say 'yes', a vision which cannot be derived from experience or instinct.

¹⁵⁰⁶ S. Freud, "Civilized" Sexual Morality and Modern Nervous Illness', *Civilization, Society and Religion: Group Psychology, Civilization and its Discontent and Other Works*, London: Penguin Books, 1985 [1908], 27-55, 45.

¹⁵⁰⁷ Freud, "Civilized", 45.

¹⁵⁰⁸ See 2.2.1.

¹⁵⁰⁹ Lewis, 'Mere', 88. See Nicholi's *The Question of God*, for an engaging discussion on the distinctive worldview positions and conclusions of Lewis and Freud on issues pertaining to sex and love.

¹⁵¹⁰ Anscombe, 'Contraception'.

¹⁵¹¹ Hauerwas, *Community*, 195.

¹⁵¹² Carr, 'Prospects', 100.

¹⁵¹³ Scruton, *Sexual*, 341.

5.6 Conclusion

In conclusion, in identifying Christian love and chastity as two virtues which are distinct but yet intertwined within the Christian moral narrative of sex, we begin to reconstruct a moral framework that gives meaning and dignity to the moral agent and their sexual personhood. We also introduce a framework within which it is possible to place other virtues. For example, the virtue of courage can be seen to engage the moral agent in making moral decisions that move them towards a vision of human flourishing in which their dignity as decision-makers is enhanced. As Wells suggests: ‘Freedom means being able to go from saying “it happened” to “I did it”. If people are able to face their lives without illusion or deception, they need courage’.¹⁵¹⁴ In expounding on the ‘unity of the virtues’ in Aquinas’ theory, Porter notes that prudence is also needed, alongside temperance, courage and justice, to ground and direct actions and reactions towards a vision of the human good.¹⁵¹⁵ Therefore, if as the Coalition Government asserts, the moral end of SRE is ‘wise and informed choices’, a critical awareness of the moral good is necessary alongside the place of moral character in achieving it. As such, to have moral character, suggests Roberts, is to be a person of integrity, which means ‘to be, and to be able to remain, a moral entity – that is, a person in the fullest and deepest sense’.¹⁵¹⁶

While it is beyond my remit to explore the depth and implications of each of these virtues for moral education, I affirm that a vision of SRE that integrates the biological with a vision of the moral and spiritual is, therefore, one in which the moral character of the agent, and corresponding virtues, is understood within a wider understanding of sexual personhood. As an integral part of the moral framework of SRE, a theological virtue ethic not only provides a coherent vision of the moral agent as an embodied learner, but provides a moral narrative from which to derive virtues that are directed towards a coherent vision of human flourishing, a vision shaped by love of God and love of neighbour.

¹⁵¹⁴ Wells, *Transforming*, 27.

¹⁵¹⁵ Porter, *Recovery*, 121.

¹⁵¹⁶ Roberts, ‘Character’, 65.

Chapter 6

Conclusion

6.1 A Case for Reconstruction

This thesis has presented a theo-ethical case for the moral reconstruction of SRE policy discourse in England. In setting out an argument for why the current moral framework is incoherent and inadequate, this thesis has critiqued, in particular, the liberal position of ‘informed choice’, exemplified by David Archard. This is an approach which advocates providing young people with the maximum amount of information around their sexual choices, by which it is presumed they are able to make free, autonomous choices. In addition, Archard’s position defends as morally legitimate, sexual behaviour which is done in private, between consenting adults, and harms no-one else.¹⁵¹⁷

However, while such a position seeks to affirm a ‘neutral’ approach to policy content, through a closer examination of policy content in Chapter 3, and an exploration in Chapter 4 of the current moral norms on sexual behaviour that it advocates, I have demonstrated that a morally neutral approach towards SRE is an impossibility. Invariably, a vision of human flourishing, informed by an underlying worldview commitment, shapes policy content. Consequentially, moral education, which runs to the heart of SRE, is thus a reflection of moral norms and values of a particular culture at any one time. Indeed, it should be noted that while this case is presented from a Christian theistic worldview position, the insufficiency of the current moral landscape for moral instruction is also felt by those from an opposing worldview position. For example, the atheist Alain de Botton notes that ‘in a world obsessed with freedom, there are few voices left that ever dare to exhort us to act well’.¹⁵¹⁸

To presume that a young person can reason through and shape their own moral choices and identity, independent of an over-arching cultural moral narrative of sex and relationships and the social values therein, is one of the central critiques of this thesis. In affirming the Christian anthropological vision of the human learner, as presented by Smith and others, we view the young person beyond their rational, cognitive faculties and, in addition, recognise their embodied, relational nature.¹⁵¹⁹ Consequentially, I have argued that the current vision in SRE discourse is inadequate, an asocial vision which

¹⁵¹⁷ See 1.3.

¹⁵¹⁸ A. de Botton, *Religion for Atheists*, London: Penguin Books, 2012, 75.

¹⁵¹⁹ See 1.2.

fails to appreciate that human nature is shaped by the vision and practices of the surrounding cultural narrative. This is central to a virtue-centred understanding of the moral agent and the narrative of the community that gives shape and meaning to one's moral identity. In addition, I have argued that the current moral vision of SRE presents an inadequate account of moral knowledge and moral truth, with which to shape a robust moral framework for education. Moreover, the norms and values which shape the current public sexual ethic, as viewed through a theological lens, present an incoherent and inadequate moral foundation from which to shape SRE policy and practice.

However, in adopting a constructive approach to public engagement, the end goal of this theo-ethical critique has been, not just to deconstruct the existing metanarrative, but to sketch an alternative moral narrative within which to shape a vision of a sexually and relationally educated young person. In affirming a 'transformationalist strategy' towards Christian engagement in education,¹⁵²⁰ I have sought, therefore, to present a Christian understanding of human flourishing that might contribute towards the common good of SRE. In presenting a vision of human flourishing that has, at its heart, the love of God and love of neighbour, I have explored the virtues that correspond with a Christian vision of moral formation, acting as a counter to the narrative of liberal individualism and epistemological agnosticism which currently shapes moral education. In doing so I identify how common virtue can be understood within a theological approach to public engagement. An understanding and engagement with virtue, I have argued, is a neglected yet necessary task of moral education for, as Meilaender suggests, 'communities that seek simply to remain "open" and that do not inculcate virtuous habits of behaviour will utterly fail at the task of moral education'.¹⁵²¹ I have presented, and briefly expounded, the virtues of Christian love and chastity, dispositions which, I have suggested, can enrich the moral discourse of SRE.

6.1.1 Public Receptivity of a Case for Reconstruction

In presenting a case for the moral reconstruction of SRE policy discourse, I do not of course presume that our case is the only one, particularly in the arena of educational and political philosophy, as I have acknowledged throughout. Nor do I assert that this counter narrative is the only possible alternative within a theological ethic.

¹⁵²⁰ See 1.4.2.

¹⁵²¹ G. Meilaender, 'Virtue in Contemporary Religious Thought', R.J. Neuhaus (ed.), *Virtue – Public and Private*, Grand Rapids: Eerdmans, 1986, 7-29, 29.

However, an end goal of this thesis is to add weight to those voices that have already perceived the inadequacies of the current moral framework of SRE policy, and to re-invigorate discussion around the current norms shaping policy content. For, where it is increasingly presumed that SRE is a right and entitlement of the young person, and where it is argued that we should abandon moral reasoning over content in favour of directly responding to the needs of young people, the words of Sandel should be heeded: ‘A politics emptied of substantive moral engagement makes for an impoverished civic life. It is also an open invitation to narrow, intolerant moralisms. Fundamentalists rush in where liberals fear to tread’.¹⁵²²

In addition, the presumption that a religious voice is any less valid or rational within policy reasoning and formulation than, say, a naturalistic worldview position is also a flawed position that must be challenged.¹⁵²³ Therefore, in view of current discourse around SRE, openness to engaging with all faith-based voices within the policy community should be re-affirmed. This can not only strengthen the democratic process, but can enhance philosophical engagement over policy content, in particular, the moral values and norms that inform and shape policy and practice. For, if we are to achieve a robust moral framework for SRE, we must, at the very least, uphold a process in which all voices are required to present their moral workings.

Nevertheless, in advocating this central line of argument, it should be acknowledged that such a process will require political effort, and significant goodwill from those within the policy community. A reinvigorated discussion around the current moral framework of SRE in England, a discussion in which opposing voices can engage in a spirit of tolerance and respect, may perhaps be judged too costly a process when compared with the possibility of making politically expedient policy decisions within the current system.

Many of the cultural barriers and pre-conceived positions concerning the contribution of a Christian worldview to educational and political discourse must first be overcome. Indeed, the theological critique of our public sexual ethic and its underlying presuppositions, as evidenced in policy discourse, and the wider cultural questions that

¹⁵²² Sandel, *Justice*, 243.

¹⁵²³ See, for example, J. Habermas, ‘On Relations between the Secular Liberal State and Religion’, *Political Theologies: Public Religions in a Post-Secular World*, L.E. Sullivan and H. De Vrie (eds.), New York: Fordham University Press, 2006, 251-260, 259, 260.

this discussion raises, may well add to the unpalatability of a Christian worldview within the present policy community. In addition, enriching the vision of a sexually and relationally educated young person through a theological virtue ethic may be only one among other theological approaches presented in the policy community. Therefore, the task of reconstruction as presented in this discussion should not be underestimated. This should not deter, however, from strongly advocating for discussions concerned with expounding moral truth in SRE discourse.

6.2 Implications and Suggestions for Further Research

Due to the complex nature of the ideas and values that shape the moral environment in which public policy is formulated, and the normative ethical theories and principles at work within policy discourse, the purpose of this thesis has been to identify some of the philosophical principles at work within the current moral framework of SRE, and to present a theo-ethical case for why these principles and the emerging norms on sexual behaviour are inadequate. In articulating my theological approach to public engagement, and in giving an overview of the moral and spiritual content of SRE policy discourse, I identified and expounded on what I regard as the fundamental flaws in the current moral framework.

As a result of the approach adopted, various philosophical discourses were inevitably briefly engaged with in Chapter 3 and 4. However, their omission would have failed to give a comprehensive and descriptive picture of the normative conclusions being drawn within the liberal approach to SRE policy discourse discussed. In addition, the significant scope given to the critical rather than constructive task of this thesis was on account of the need to adequately identify and critique the liberal values at work in policy discourse.

In critiquing the underlying worldview commitment of naturalism, evident in policy discourse, and the liberal values shaping our public sexual ethic, the discussion in Chapter 4 not only added to the original contribution that this thesis presents, but strengthened the argument for the incoherence and inadequacy of the existing moral framework. In addition to an account of the existing moral framework, the counter narrative presented in Chapter 5 sketched the contours of a theological virtue ethic as an alternative moral framework and language, concluding by identifying specific virtues

that could inform and enrich the vision of a sexually and relationally educated young person.

A re-engagement with the moral discourse surrounding SRE policy, and the presentation of a virtue theory approach to SRE, in particular, the pursuit of common virtues in public policy, naturally has implications for all stakeholders concerned. In adopting a virtue theory approach, politicians and policy makers resolve to move towards presenting a more coherent and adequate moral vision of a sexually and relationally educated young person. Into this discussion, religious groups have an opportunity to articulate the virtues which correspond to a vision of human flourishing within their moral tradition. In addition, parents and teachers are reminded of the important role that they play in modelling good conduct, and young people are taught to examine their moral judgements and consequent actions, exploring the virtues that inform and shape their moral habits around sex and relationships. This is done, not dependent on abstract or self-directed moral knowledge, but in view of an articulated moral vision that has undergone rigorous philosophical scrutiny.

In light of the discussion initiated in this thesis, the potential avenues for future research are numerous, with a few possibilities identified below:

1. A more detailed exploration and critique of the engagement and contribution of faith communities to the current SRE policy community, in particular, the contribution of those who identify as speaking on behalf of the Christian community within the SEF. This would not only present a more detailed picture of the receptivity of the policy process to different moral positions, but would enable further critique of the theological approach to public engagement currently being adopted by different individuals and groups. It would also create opportunity for a theological critique of the content of that engagement.
2. A more detailed theological critique of any one of the philosophical discourses or ethical theories identified in relation to SRE discourse, or further engagement with any one proponent therein, would develop and deepen the discussion initiated in this thesis.
3. Building on the constructive approach initiated in this discussion, further reflection on the implications of a theological virtue ethic for SRE discourse and how it might shape policy, curriculum and practice in the classroom, is ripe

for further exploration and discussion. For example, while identifying and sketching Christian love and chastity as two virtues which could enrich the moral language and vision of human flourishing within SRE, further critical reflection on the acquisition of these virtues, in addition to expanding discussion around the inclusion of other virtues, for example, justice, could enhance a Christian contribution to the vision of moral education and human flourishing within SRE discourse.

The onus is now on the critic to scrutinize the moral validity of this, and future pieces of theological engagement, within the bounds of policy discourse.

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